

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 749 OF 2024
IN
INTERIM APPLICATION NO. 4249 OF 2023
IN
CRIMINAL APPLICATION (APL) NO. 676 OF 2023**

Smrutikant Vithal Kiratkudave .. Applicant

Versus

The State Of Maharashtra .. Respondent

...

Mr. Ashwin Vasista, for the Applicant.

Mr. J. P. Yagnik, A.P.P. for the State/Respondent.

...

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 27th JUNE, 2024

P.C:-

1. On 12.01.2024, the Interim Application No. 4249 of 2023 filed by the Applicant was dismissed for non-prosecution.

2. The present Application is filed seeking its restoration.

On hearing the counsel for the Applicant and on perusal of the Application, we have noticed that the non-appearance of the counsel was not deliberate but for the reasons set out in the paragraph No.2. Since the Advocate

could not remain present before the Court when the matter was called out, on account of his personal reasons, the Applicant shall not suffer and this being the position in law, we deem it appropriate to allow the Interim Application No. 4249 of 2023 and restore it to the file.

INTERIM APPLICATION NO. 4249 OF 2023

Considering that the Application is pending for a considerable length of time to be decided, to be listed on 08.07.2024.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)

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