

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1465 OF 2024****IN****CRIMINAL APPLICATION (APL) NO. 213 OF 2020**

Suresh Vitthal Junghare & Anr.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Kiran Nikam for Applicants.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Mr. Rajaram V. Bansode for Respondent No.2.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 30th July 2024.****P.C. :**

- 1) This is an application for restoration of Criminal Application (APL) No. 213 of 2020, which was dismissed for non prosecution by Order dated 4th September 2023.
- 2) There is a delay of 6 months in preferring present Application.
- 3) The reasons for dismissing the Petition are aptly stated in para No.2 of Order dated 4th September 2023.
- 4) Perusal of Application and in particular para No.12 thereof clearly indicates that, no reasonable or plausible explanation for condonation of said inordinate delay is offered by the Applicants.

5) Mr. Bansode, learned Advocate appearing for Respondent No.2 fairly submitted that, appropriate Orders in the interest of justice may be passed.

6) Taking into consideration the fact that, the Applicants have not offered proper and/or reasonable explanation for condonation of such an inordinate delay, learned Advocate for Applicants on instructions submitted that, for condonation of the said delay, the Applicants will pay a cost of Rs.10,000/- to Kirtikar Law Library, High Court, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted.

7) In view thereof and subject to payment of cost within stipulated period, Application is allowed in terms of prayer clause (a).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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