

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2353 OF 2024
IN
CRIMINAL APPLICATION NO.170 OF 2016

Punit Ramesh Patel .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Ms.Sakshi Mane with Ms.Swati Singh i/b Rajeev Sawant &
Associates for the Applicant.

Ms.Sharmila S. Kaushik, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 29th AUGUST, 2024

P.C:-

1. Interim Application No.2353 of 2024 is taken out for restoration of Criminal Application No.170 of 2016, which was dismissed for want on prosecution on 07/10/2023.

2. We have heard the learned counsel for the Applicant and perused the Application, which in paragraph 6 has stated that on account of sheer inadvertence, the Advocate could not appear before the Court on the said date, resulting into dismissal of the Application. In filing the Interim Application for restoration, there is delay of 221 days.

Since, we are of the opinion that the default on the part of the Advocate is bonafide and so as the delay, Interim Application No.2353 of 2024 is allowed in terms of prayer clauses (a) and (b).

3. List the Criminal Application No.170 of 2016 for hearing on 24/09/2024.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)