

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 4015 OF 2024

IN

CRIMINAL WRIT PETITION NO. 3980 OF 2024

Shubham Raju Prabhu & Ors.Applicants

IN THE MATTER BETWEEN :

Shubham Raju Prabhu & Ors.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

Mr. Mohit R. Salvi, Advocate for the Applicants.
Mr. Vinod Chate, A.P.P. for the Respondent-State.
Mr. Pandit Kasar, Advocate for Respondent No. 2.

**CORAM : SARANG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.
DATE : 22nd OCTOBER 2024.**

P.C.:-

1. This is an Application for restoration of Criminal Writ Petition No. 3980 of 2024, which was dismissed for non-prosecution vide Order dated 19th September 2024.
2. Learned counsel for the Applicants submitted that his grand-mother was bed-ridden due to a major stroke. Therefore

he had gone to his home town at Alibaug. He could not remain present on 19th September 2024 when the matter was called out. In this situation, the order for dismissal of the main Petition for non-prosecution was passed. He submitted that in the interest of justice, the main Petition be restored.

3. Learned counsel for the Respondent No. 2 opposed this Application, however the record shows that when the matter was dismissed, even then nobody had appeared for Respondent No. 2.
4. Considering this background and in the interest of justice, the Application is allowed and Criminal Writ Petition No. 3980 of 2024 is restored to its original file.
5. The Application is disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2024.10.23
15:32:15 +0530