



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Criminal Application (APPP) No. 35 of 2024

in

Misc. Criminal Application (APPP) No. 33 of 2024

in

Criminal Application (APL) No. 625 of 2020

Mahadeo S/o Kisan Korde and others

Versus

**State of Maharashtra, through Police Station Officer Ansing, Tahsil and
District Washim and another**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Raju Kadu, Advocate for the applicant.

Shri Ujwal Phasate, APP for the non-applicant/State.

**CORAM : SMT. VIBHA KANKANWADI &
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 27th JUNE, 2024.

The present application has been filed for condoning the delay of two months and 24 days in filing the application for restoration.

2. Heard Shri Raju Kadu, learned advocate for the applicant and Shri Ujwal Phasate, learned APP for the non-applicant/State.

3. Though, learned APP by filing affidavit-in-reply takes strong objection, yet in the interest of justice, the delay stands quashed and set aside for the reasons stated in the application subject to deposit costs of Rs.1000/- with the High Court Legal Aid Sub-Committee, Nagpur within a period of one week from today.

4. Criminal application stands disposed of.

Misc. Criminal Application (APPP) No. 33 of 2024

1. The present application has been filed for setting aside the conditional order passed by this Court on 13th September, 2023 and to restore the application No. 625 of 2020. It appears that the liberty was given to the prosecution to file chargesheet before the learned trial Court, then the permission was granted to the applicant to carry out the amendment after considering the contents of the chargesheet. The entire exercise was supposed to be done within a period of four weeks and the conditional order was passed in case of failure, the application would stand dismissed without further reference to the Court.

2. Now, the applicant has collected the chargesheet and is ready to carry out the amendment. We would certainly give the opportunity to the non-applicant no.2 to contest the application and in view of the same the application stands allowed.

3. The criminal application stands disposed of.

Criminal Application No. 625 of 2020

1. Amendment to be carried out within a period of one week. Copy of the amended application along with copy of the chargesheet to be produced on record on or before 23rd July, 2024.

2. Issue notice to the non-applicant no.2, is to be made returnable on 29th July, 2024.

[MRS. VRUSHALI V. JOSHI, J.]

[SMT. VIBHA KANKANWADI, J.]