



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (APPA) NO. 867 OF 2024 IN
CRIMINAL APPEAL NO. 289 OF 2023 (D)

Laxmi Gajanan Ninawe Vs Vishwanath Gajanan Bajirao

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

Court's or Judge's Order

Mr. S.T. Dhurwey, counsel for applicant/appellant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/10/2024.

1. This is an application for restoration of appeal.
2. Learned counsel for the appellant submitted that the appellant has filed the appeal against the order of acquittal passed by the Judicial Magistrate First Class, Nagpur. He submitted that the amount of the complainant is involved in the said transaction. He further submitted that on the day of hearing, the appellant urgently had to go to Delhi for some work, therefore, he was not available in Nagpur and the appeal was dismissed for want of prosecution.
3. In view of the reasons mentioned in the application and considering the parties be permitted to litigate their cause on its own merits, hence, the application deserves to be allowed.
4. The application for leave to file an appeal be restored at its original stage.

5. The criminal application (APPA) No. 867/2024 is allowed and **disposed of** accordingly.

[URMILA JOSHI-PHALKE, J.]