



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

CRIMINAL APPLICATION (APPP) NO.1806 OF 2024
AND
CRIMINAL APPLICATION (APPP) NO.1727 OF 2024
IN
CRIMINAL APPLICATION (APL) NO.549 OF 2021 (D)
KUNAL S/O RUPCHAND UNDIRWADE VS. STATE OF MAHARASHTRA AND ANR.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Parita Lakhani, Advocate for the applicant/s
Mr. A.B. Badar, APP for the State

CORAM: VINAY JOSHI AND ABHAY J. MANTRI, JJ.
DATED : 18/10/2024.

- 1 Heard.
- 2 These are the applications for condonation of delay of 17 days for filing application and for restoration of Criminal Application (APL) No.549 of 2021 and for restoration, which came to be dismissed in consequence of non-compliance of our order dated 24.07.2024.
- 3 The applicant was directed to supply copies for service which he could not furnish within the stipulated period, which resulted into dismissal of the Criminal Application (APL) No.549 of 2021.
- 4 The learned counsel for the applicant submits that due to misunderstanding, the Advocate's Clerk failed to comply the order within the stipulated period. It is submitted that the applicant has sufficient ground on merits to contest the quashing application and therefore, urged for granting relief.
- 5 We have gone through the record as well as the reasons for condonation of delay and for restoration. In order to facilitate the applicant to canvass the cause on merits, these applications need to

be allowed. Considering the delay, we deem it appropriate to impose certain costs. In view of above, the both the applications **are allowed and disposed of.**

6 Delay is hereby condoned and the Criminal Application No.549 of 2021 is restored to file subject to deposit of costs of Rs.5,000/- with the High Court Legal Services Sub-Committee, Nagpur, within a period of one week from today, failing which the matter shall stand dismissed without further reference to the Court.

7 On depositing of costs amount, the matter shall be restored on the same stage.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)