



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

**45 CRIMINAL APPLICATION NO. 790 OF 2024
IN CRIMINAL APPLICATION NO.685 OF 2024**

**SACHIN KESHAV BHALERAO AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE OFFICER IN
CHARGE AND ANOTHER**

....

Advocate for Applicants : Ms. Tejshree K. Nalawade h/f Mr. Sanket A. Jadhav

APP for Respondent No.1-State : Mr. S.A. Gaikwad

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**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

Dated : 02nd May 2025

PER COURT :-

1. The present application has been filed for recall of order dated 12.02.2024, passed by this Court in Criminal Application No.685 of 2024, and restoring the said application.

2. Though respondent No.2 has been served, failed to appear in the present application.

3. Learned Advocate appearing for the applicants submits that, on 12.02.2024, the main matter was dismissed as none was present in the first session as well as in the second session. According

to the learned Advocate for the applicants, the case status was showing the date as 17.02.2024 and therefore, there was misunderstanding and therefore, none was present for the applicants. The learned Advocates are tendering apology for absent.

4. In fact, after perusal of the record of Criminal Application No.685 of 2024, it can be seen that the present applicants' Advocates got the matter circulated by giving praecipe on 07.02.2024 and the circulation was granted for 12.02.2024. Under such circumstance, there was no necessity for the learned Advocates for the applicants to rely on the case status. In fact, the said date might have been given after the acceptance of the registration of the application. If the learned Advocates for the applicants were satisfied with whatever date was given on the case status, there was no necessity for them to file praecipe for that purpose. When the praecipe has been given on 07.02.2024, it was placed before the Court that the applicants want urgent hearing of the matter. In respect of the circulation that was granted, the learned Advocates were absent. In fact, we do not find any reason for recalling of the said order. However, the applicants i.e. clients should not suffer for the mistake or the wrongdone by the learned Advocates and therefore, we allow the present application. Hence, following order.

ORDER

- I. The application stands allowed.
- II. The order passed by this Court on 12.02.2024 in Criminal Application No.685 of 2024 stands recalled.
- III. Criminal Application No.685 of 2024 be restored to the file.
- IV. The present application i.e. Criminal Application No.790 of 2024 stands disposed off.
- V. The learned Advocates appearing for the applicants to remove office objections on or before 11.06.2025.
- VI. The learned Advocates for the applicants to deposit costs of Rs.5,000/- (Rupees Five Thousand Only), from their pocket, with the High Court Legal Services Sub Committee, Aurangabad on or before 11.06.2025.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE