

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL INTERIM APPLICATION NO. 43 OF 2025****IN****CRIMINAL APPLICATION NO. 810 OF 2023**

Gafoor Tipusultan Shaikh

...Intervenor/Applicant

IN THE MATTER BETWEEN

Mohammed Yousuf Khan

...Applicant

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr. Vivek Shukla i/b V. Shukla and Associates for the Intervenor/Applicant.

Mr. Mathew Nedumpara i/b Mr. Moinuddin Baig for the Applicant.

Smt. M. H. Mhatre, APP for the Respondent/State.

Mr. B.B. Tiwari for Respondent No.4.

Mr. Jagdish G. Aradwad (Reddy) for the Respondent/HPC.

**CORAM : A. S. GADKARI &
N. R. BORKAR, JJ.****DATE : 2nd April, 2025.****PC. :**

1) This is an Application for intervention in the Application filed for quashing by original Accused No.1 in C.R. No. 242 of 2023 registered with BKC Police Station, Mumbai.

2) At the outset, it be noted here that, the Applicant/Intervenor is neither a complainant nor a witness in the said case. Though the crime in

question was registered on 14th June, 2023, till grant of interim relief on 29th November, 2023 the Applicant did not take any pains even to go to the concerned Police Station and to request the Investigating Officer to record his statement under Section 161 of Cr.P.C. At such a belated stage the wisdom has prevailed upon the Applicant to file an Intervention Application.

3) In view of the above, we see no reason to permit the Applicant to intervene in the Application filed by Accused No.1. According to us there are no merits in the Application and it is dismissed.

4) The main Application be listed before the regular bench for hearing.

(N.R.BORKAR, J.)

(A.S. GADKARI, J.)