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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3529 of 2025
IN
CRIMINAL REVISION APPLICATION (ST) NO. 19128 OF 2025**

Mitesh Savji Raghwani& Ors.	... Applicants
Vs.	
The State Of Maharashtra	... Respondent

Mr. Ashish T. Dubey, Advocate for the Applicants
Mr. K. V. Saste, Addl. PP for the Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th OCTOBER, 2025.

P.C. :

1. Heard Mr. Ashish T. Dubey, learned Advocate for the Applicant and Mr. K. V. Saste, learned Addl. P.P. for the State/Respondent.

2. By the present Application, the Applicants are seeking condonation of delay of 242 days in filing Criminal Revision Application questioning the order dated 24th October, 2024 passed by the Additional Session Judge, Thane in Sessions Case No.208 of 2024, by which charges have been framed against the Applicants / Accused.

3. Applicants have referred to the reasons for the delay in paragraph Nos. 2, 3, 4 and 5 of the present Application. It appears that the Applicants were before this Court by way of Criminal Writ Petition

(ST) No. 3533 of 2024 seeking quashing of FIR No.1162 of 2023 registered with Mumbra Police Station. During the pendency of the said Petition charge-sheet was filed against the Applicants and the same was registered as Sessions Case No. 204 of 2024 and allotted to the Court of the Additional Sessions Judge, Thane. Charges were framed on 24th October, 2024. On 4th September, 2025 Applicants sought leave to withdraw the Criminal Writ Petition (ST) No. 3533 of 2024 with liberty to challenge the order framing charges. This Court disposed of the said Petition with liberty as prayed. Applicant filed the present Application on 19th September, 2025 (as per the date mentioned on the copy of the instant Application). Applicant is therefore seeking condonation of 242 days in filing Criminal Revision Application.

4. Mr. Ashish T. Dubey, learned Advocate for the Applicants has reiterated the case of the Applicant as set out in the Application for condonation of delay to submit that the Applicant has made out sufficient cause for condonation of delay.

5. Mr. K. V. Saste, learned APP for the State has opposed the Application. He submits that the Applicant is and was bound to be aware of the order dated 24th October, 2024 by which charges were framed, consequently ought to have questioned the same within the time limit for filing the revision. He submits that the Applicant cannot claim benefit of

his own wrong. He submits that the delay is intentional and is an attempt made by the Applicants to prolong/delay the trial in Sessions Case No. 208 of 2024. He submits that the reasons sought to be put forth in the Applications are as an by way of an after thought. He submits that the same do not constitute any cause much less sufficient cause. He submits that from the case set up by the Applicants, it is now apparent that filing of the Criminal Writ Petition (ST) No. 3533 of 2024 was unnecessary. He submits that the Investigating Officer was made to defend the said proceedings resulting in he being deprived of devoting time to other matters. For all the said reasons Mr. K. V. Saste seeks dismissal of the Application.

6. Perused the records.

7. Records bare out the Applicants having filed Criminal Writ Petition (ST) No. 3533 of 2024 on 12th February, 2024, which was disposed of on 4th September, 2025. Respondents though alleged that the Applicants are attempting to delay the disposal of Sessions Case No.208 of 2024, however no material is placed on record to indicate the Applicant benefiting from such delay. Be that as it may, upon disposal of Criminal Writ Petition (ST) No. 3533 of 2024 on 4th September, 2025, the Applicant have filed the present Application on 19th September, 2025. Fact of the Applicants pursuing legal remedies is not in dispute.

Applicants have made out sufficient cause for seeking condonation of delay. Dismissal of this Application would result in prejudice being caused to the Applicants. Whereas the prejudice if any caused to the Respondents as submitted by Mr. K. V. Saste, can be compensated by imposing costs on the Applicants.

8. Applicants have made out sufficient cause for seeking condonation of delay. Application is therefore allowed subject to the Applicants depositing costs of Rs. 15,000/- in the Registry of this Court, within a period of 4 weeks from today. Upon deposit of costs, Registry to register the Criminal Revision Application.

9. If costs are deposited the same be transferred to the following account :-

1) Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB00000060.

(ASHWIN D. BHOBE, J.)