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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3779 OF 2025
IN
CRIMINAL APPLICATION NO.719 OF 2014**

Nitin Chandrakant Gupte

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Sachin Salunke with Kaustubh Gupta for the Applicant.

Ms. Supriya Kak APP for the Respondent-State.

Mr. Jaydip Dalavi API, Nigadi police station present.

CORAM : SHYAM C. CHANDAK,J.

DATE : 5TH DECEMBER, 2025

P.C. :-

1) Heard.

2) Present Interim Application is seeking condonation of 1607 days delay in filing this Application and to restore Criminal Application No.719 of 2014. Criminal Application No.719 of 2014 was dismissed for non prosecution by the order dated 4th April 2019.

3) The learned Counsel for the Applicant submits that since his arrest on 17/03/2012, the Applicant is behind bars i.e. for 13 years. The Applicant is being prosecuted in 17 cases pursuant to FIR registered in different police stations. The Applicant is acquitted in 6 cases. However, the said FIRs were filed in respect of same set of transactions.

4) Criminal Application No.719 of 2014 seek clubbing of the said

FIRs/cases. The Applicant could not pursue Criminal Application No.719 of 2014, diligently nor was he able to contact lawyer, who was representing his Application. Thus, it appears that dismissal of the Application cannot be attributed to the Applicant. Therefore, having regard to settled position of law, one opportunity is granted to the Applicant. Hence, I am inclined to allow the Application and pass the following order :-

ORDER

- (i) The delay of 1607 days is condoned.
- (ii) Criminal Application No.719 of 2014 is restored at the stage at which it was dismissed.
- (iii) To be listed on **19th December, 2025.**

(SHYAM C. CHANDAK, J.)