

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

**INTERIM APPLICATION NO.4675 OF 2025
IN
INTERIM APPLICATION (ST) NO.14927 OF 2025
IN
CRIMINAL APPLICATION NO.9 OF 2010
IN
CRIMINAL REVISION APPLICATION NO.11 OF 2010**

Vijay Omkar Gandhi

...Applicant

V/s.

Manoj Punamchand Oswal & Anr.

...Respondents

Adv. Shubhankar A. Kulkarni, for the Applicant.

Adv. Abhaykumar Apte h/f Mr. R. N. Sanghi, for the Respondent No.1 in
IA/4675/2023 and Original Petitioner in IA(ST)/14927/2025.

Ms. S. D. Shinde, APP for the Respondent No.2-State.

CORAM : SHYAM C. CHANDAK, J.

DATED : 18th DECEMBER, 2025

P.C. :-

. Present Application seeking restoration of Interim Application
(St.) No.14927 of 2025 which came to be dismissed for non-prosecution by
Order dated 8th September, 2025.

2) Heard Mr. Kulkarni, the learned Counsel for the Applicant,
Mr. Apte, the learned Counsel for the Respondent No.1 and Ms. Shinde, the
learned APP for the Respondent No.2-State.

3) Learned Counsel for the Applicant states that at the relevant
time he was busy in another Court and before he could attend the said

Application, it came to be dismissed as above. The Application which came to be dismissed was seeking withdrawal of amount of Rs.8,50,000/- which the Respondent No.1 in this Application has deposited towards compliance of the order of the trial Court and confirmed by the Appellate Court thereby the Respondent No.1 came to be convicted and sentenced for the offence of Section 138, of the Negotiable Instruments Act, 1881.

4) In view thereof and considering the grounds stated in the Application, the case is made out to restore the Application. Hence, the Application is allowed.

5) The aforesaid Interim Application (St.) No.14927 of 2025 stands restored to file with immediate effect.

6) Interim Application No. 4675 of 2025 stands disposed of.

(SHYAM C. CHANDAK, J.)