



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPP) NO. 117 OF 2025

IN

CRIMINAL APPLICATION (APPLN) NO. 119 OF 2024 (D)

State of Maharashtra, through PSO, PS Andhera, Tah. Chikhali, Dist. Buldhana

Vs.

Waheed Khan Dilawar Khan

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. Sangram Sirpurkar, Advocate for the Accused.
 Mr. A.G. Mate, APP for the State.

CORAM : G. A. SANAP, J.

DATED : 20th JANUARY, 2025.

1. This is an application for recall of the order dated 7th January, 2025, whereby the application made for cancellation of the bail was allowed.

2. Learned advocate Mr. Sirpurkar submits that, due to his mistake, the vakalatnama could not be placed on record. It is submitted that, on account of his mistake, the applicant/accused cannot be made to suffer.

3. Learned APP submits that there was a deliberate attempt on the part of the applicant/accused to hamper the investigation. He did not co-operate the Investigating Officer. There was breach of condition.

4. Learned advocate Mr. Sirpurkar has filed his reply and vakalatnama. It appears that the applicant/accused had long back instructed the advocate to appear for him, but the advocate, for the reasons recorded in paragraph 4 of the

application, could not file vakalatnama and reply on record. In my view, considering the mistake on the part of the advocate, the applicant/accused cannot be made to suffer.

5. In view of this, the application is allowed.
6. The order dated 7th January, 2025, is recalled.
7. Criminal Application (APPLN) No.119/2024 be restored to file for hearing.
8. The application stands disposed of accordingly.

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9. Stand over to 29.01.2025.

(G. A. SANAP, J.)

Vijay