

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

**INTERIM APPLICATION NO. 6 OF 2026
IN
CRIMINAL APPLICATION NO. 205 OF 2024**

Bजारंग दत्तात्रया शिंदे आद अर. ...अर्पकत

Versus

थे स्टेट ऑफ महाराष्ट्र आद अर. ...अरुपदंत

Mr. Kunal U. Shirgire i/b Mr. Vikas R. Kolekar, learned Advocate for the Applicants.

Mr. Tanveer G. Khan, learned A.P.P. for the State/Respondent.
PSI Mr. Umer Khan Muller N. attached to Khar Police Station, Mumbai is present in the Court.

**CORAM : ASHWIN D. BHOBE, J.
DATE : 23rd JANUARY 2026.**

P.C. :

INTERIM APPLICATION NO. 6 OF 2026

1. Heard Mr. Kunal Shirgire, learned Advocate for the Applicants and Mr. Tanveer Khan, learned A.P.P. for the State/Respondent.

2. By the present Interim Application, the Applicants have sought for the following substantive reliefs in terms of prayer clauses (b) & (c) :-

“b) This Hon’ble Court be pleased to condone the delay of 143 days in filing the present Interim Application;

c) This Hon’ble Court be pleased to recall the order dated

07.07.2025 passed by this Hon'ble Court in Criminal Application No. 205 of 2024 and further restore the Writ Petition."

3. On 07.07.2025, though the learned A.P.P. for the State/Respondent and PSI Mr. Gawali of Khar Police Station, Mumbai were present before this Court, the Applicants/Advocate for the Applicants were absent. Absence of the Applicants/Advocate for the Applicants, resulted in dismissal of Criminal Application No. 205 of 2024 for non-prosecution.

4. Mr. Kunal Shirgire, learned Advocate for the Applicants states that it was on account of inadvertent bonafide mistake on his part that he was not present before this Court on 07.07.2025, when the matter was called out for hearing. He submits that for the said Bonafide mistake the Applicants should not suffer. He submits that if the Criminal Application is restored then as and when the matter will be listed on board, he would be present in the Court and ready to argue the matter. Statement made by Mr. Kunal Shirgire, learned Advocate that he would be present in the Court as and when the matter will be listed, is taken on record.

5. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent submits that as the Advocate for Applicants has owned the responsibility of his absence on 07.07.2025, Criminal Application No. 205 of 2024 be restored.

6. For the reasons stated in the Interim Application and the statement made by Mr. Kunal Shirgire, learned Advocate for the Applicants that the lapse was on his part, the delay in filing the

present Interim Application is condoned, the dismissal order dated 07.07.2025 is recalled and Criminal Application No. 205 of 2024 is restored to its original file.

7. Interim Application No. 6 of 2026 is allowed in the abovesaid terms.

CRIMINAL APPLICATION NO. 205 OF 2024

1. Not on Board. Taken on Board.
2. List the matter on **2nd April 2026**.

[ASHWIN D. BHOBE, J.]

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