

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

**INTERIM APPLICATION NO. 731 OF 2026
IN
WRIT PETITION NO. 2912 OF 2025**

Anand Maruti Gade & Anr.

...Applicants/
Petitioners

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Sahil Tejawani a/w Mr. Aditya Navpute & Mr. Gaurav Tejawani i/b AKT Legal Law Firm, learned Advocates for the Applicants/Petitioners.

Mr. Yogesh M. Nakhwa, learned A.P.P. for the State/Respondent.
Mr. Dnyaneshwar Avhad, learned Advocate for Respondent No. 2.

**CORAM : ASHWIN D. BHOBE, J.
DATE : 24th MARCH 2026.**

P.C. :

1. Heard Mr. Sahil Tejawani, learned Advocate for the Applicants/Petitioners, Mr. Yogesh Nakhwa, learned A.P.P. for the State/Respondent and Mr. Dnyaneshwar Avhad, learned Advocate for Respondent No. 2.

2. By the present Interim Application, the Applicants are seeking condonation of delay in filing the present Application and recall of the order dated 16.06.2025 by which Criminal Writ Petition No. 2912 of 2025 was dismissed for non-prosecution.

3. Order dated 16.06.2025 reads as follows :-

“1. None for Petitioners.

2. Dismissed for non-prosecution.”

4. Mr. Sahil Tejawani, learned Advocate for the Applicants states that on account of inadvertent mistake on his part that none appeared on the date the Petition was listed before this Court, which resulted in dismissal of Criminal Writ Petition No. 2912 of 2025. He submits that on account of the lapses on the part of office of the Advocate, the Petitioners should not be denied of an opportunity of hearing of the Petition. He therefore requests that the proceedings be restored and the same be heard on merits.

5. Mr. Yogesh Nakhwa, learned A.P.P. for the State/Respondent and Mr. Dnyaneshwar Avhad, learned Advocate for Respondent No. 2 submit that the Advocate for Petitioners has owned the responsibility of his absence on 16.06.2025, as such they state that this Application can be allowed by condoning the delay and by restoring Criminal Writ Petition No. 2912 of 2025.

6. For the reasons stated in the Interim Application, the statement made by Mr. Sahil Tejawani, learned Advocate for the Applicants before this Court today that the lapse was on his part and the No Objection by Mr. Yogesh Nakhwa, learned A.P.P. and Mr. Dnyaneshwar Avhad, learned Advocate for Respondent No. 2, the delay in filing this Interim Application is condoned, the dismissal order dated 16.06.2025 is recalled and Criminal Writ Petition No. 2912 of 2025 is restored to its original file.

7. Interim Application No. 731 of 2026 is allowed.

[ASHWIN D. BHOBE, J.]