

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 733 OF 2026
IN
WRIT PETITION NO. 2749 OF 2025

Yasmin Baksish Qureshi And Ors. ... Applicants
V/S.
The State Of Maharashtra And Ors ... Respondents

Mr. Yogesh Dalvi, learned Advocate for the Applicants.
Mr. Prasanna Malshe, learned APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.
DATE : 27th FEBRUARY, 2026.

P.C. :

1. By the present Interim Application, the Applicants are seeking recall of the Order dated 12th June, 2025 passed by this Court in Writ Petition No. 2749 of 2025 dismissing the Petition for non-prosecution.

2. Mr. Yogesh Dalvi, learned Advocate for the Applicants submit that it was on account of a bona fide mistake on his part that he remained absent on 12th June, 2025 that resulted in passing the dismissal Order.

3. Mr. Yogesh Dalvi submits that henceforth, he would ensure that as and when the matter is called out he would remain present and that he would workout the matter.

4. Mr. Prasanna Malshe, learned APP for the Respondent – State, submits that the Advocate for the Applicants having owned the responsibility of his absence on 12th June, 2026 he does not object to the present Application.

5. Mr. Yogesh Dalvi states that though notice was issued in the Petition, however during the pendency of this Application, the Complainant i.e. Respondent No. 6 (Mr. Matloob Abdul Gafoor Qureshi) has expired. He submits that he has expired somewhere in the month of January, 2026 as instructed by the Applicants. Statement is taken on record.

6. In view of the statements made by Mr. Yogesh Dalvi, accepting the error on his part, and the statements made in the Application, the Order dated 12th June, 2025 passed in Writ Petition No. 2749 of 2025 is recalled.

7. Writ Petition No. 2749 of 2025 is restored on file. Interim Application No. 733 of 2026 is allowed and disposed of.

(ASHWIN D. BHOBE, J.)

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