

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

**INTERIM APPLICATION NO. 923 OF 2026
IN
WRIT PETITION NO. 2683 OF 2025**

Mr. Vaibhav Chandrakant Bagde & Ors. ...Applicants/
Petitioners

Versus

Mrs. Madhuri Vaibhav Bagde & Anr. ...Respondents

Mr. Advait U. Shukla, learned Advocate for the Applicants/Petitioners.

Ms. Pallavi N. Dabholkar, learned A.P.P. for the State/Respondent.
API Mr. Rohan Patil attached to Nerul Police Station, Navi Mumbai is
present in the Court.

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

P.C. :

1. Heard Mr. Advait Shukla, learned Advocate for the Applicants/Petitioners and Ms. Pallavi Dabholkar, learned A.P.P. for the State/Respondent.
2. By the present Interim Application, the Applicants are seeking condonation of delay in filing the present Application and recall of the order dated 10.06.2025 by which Criminal Writ Petition No. 2683 of 2025 was dismissed for non-prosecution.
3. Order dated 10.06.2025 reads as follows :-

“1) *None for Petitioners.*

2) *Dismissed for non-prosecution.*”

4. Mr. Advait Shukla, 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. 2683 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. Ms. Pallavi Dabholkar, learned A.P.P. for the State/Respondent submits that the Advocate for Petitioners has owned the responsibility of his absence on 10.06.2025, as such she states that this Application can be allowed by condoning the delay and by restoring Criminal Writ Petition No. 2683 of 2025.

6. For the reasons stated in the Interim Application, the statement made by Mr. Advait Shukla, learned Advocate for the Applicants before this Court today that the lapse was on his part and the No Objection by Ms. Pallavi Dabholkar, learned A.P.P., the delay in filing this Interim Application is condoned, the dismissal order dated 10.06.2025 is recalled and Criminal Writ Petition No. 2683 of 2025 is restored to its original file.

7. Interim Application No. 923 of 2026 is allowed in terms of prayer clause (a).

[ASHWIN D. BHOBE, J.]