

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1018 OF 2025
IN
CRIMINAL APPLICATION NO.1420 OF 2016

Fahad Mukhtar Ahmed Khan & Anr. : Applicants
Versus
State of Maharashtra and ors. : Respondents

Mr. Pratap Patil i/by Adv. Tejas Pawar and Adv. Vishal G Salvi
for the Applicants.

Ms Shilpa G Talhar, APP for the Respondent/State.

Mr. Abhijeet Joshi a/w Adv. Srushti More for Respondent
No.3..

CORAM : ASHWIN D. BHOBE, J.

DATED : 18 FEBRUARY 2026

PC:-

1. By the present Applicant, the Applicants have sought for
the following substantive relief :-

*“11(a) That, this Hon’ble Court kindly be pleased to
restore the Criminal Application No.1420 of 2016 by
setting aside order dated 25.02.2025”*

2. On 25 February 2025, the following order was made in

Criminal Application No.1420 of 2016 :-

- “1. None for the Applicant.*
- 2. Dismissed for non prosecution.*
- 3. In the wake of aforesaid dismissal, pending Interim Applications are also dismissed. Needless to state that upon dismissal of Criminal Application, interim relief granted therein stand vacated and the Investigating Officer shall expeditiously file the charge sheet.”*

3. Mr. Pratap Patil, learned Advocate for the Applicants, submits that the absence of the Advocate for the Applicants on 25 February 2025 was due to the reasons attributable to the Advocate of the Applicants. He submits that Advocate of the Applicants was keeping unwell and as such could not remain present before the Court. He submits that this Application has been filed within 30 days from 25 February 2025. He, therefore, submits that Criminal Application No.1420 of 2016 along with the connected Interim Applications which were pending on 25 February 2025, dismissed as a consequence of the dismissal of Criminal Application No.1420 of 2016, be also restored and parties be afforded an opportunity to canvass their case on merits.

4. Mr. Abhijeet Joshi, learned Advocate for Respondent No.3 (Intervenor) and Ms. Shilpa Talhar, learned APP do not object to the request made by the Applicants.

5. In view of the no objection as also the statements made

by the Applicants in paragraphs 6 and 8 of this Application, the order dated 25 February 2025 is recalled. Criminal Application No.1420 of 2016 is restored to file. Consequently, Interim Application Nos. 1071 of 2017 and 53 of 2017 are also restored to file.

6. Interim Application No.1018 of 2025 is disposed of in above terms.

(ASHWIN D. BHOBE, J.)