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

INTERIM APPLICATION NO. 3509 OF 2025

IN

WRIT PETITION NO. 1057 OF 2024

Siraj Salim Sayyed & Anr. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

Ms. Rekha Gaikwad, Advocate for Applicants.

Mr. Sukanta Karmakar, APP for Respondent No. 1 – State.

Ms. Dipali Dhalpe – PSI, Vakola Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 30th JANUARY, 2026.

P.C. :

1. By the present Application, the Applicants have sought
for the following substantive relief in prayer clause 10 (a):-

*“(a) That this Hon’ble Court may be
pleased to restore Criminal Writ Petition
No. 1057 of 2024 and be heard on
merits.”*

2. Ms. Rekha Gaikwad, learned Advocate for the

Applicants, submits that this Application was dismissed on 16th July, 2025 in view of the absence of the Advocate for the Applicants when the matter was called out. She submits that it was on account of an inadvertent bonafide mistake on the part of the office of the Advocate representing the Applicants that none appeared before this Court on 16th July, 2025 . She submits that the Applicants would be denied the opportunity of agitating their case before this Court if the Criminal Writ Petition No. 1057 of 2024 is not restored and the same is not heard on merits. She therefore prays for restoration of the Petition and submits that the Advocate for the Petitioners would appear before this Court as and then when the Petition is listed on board and canvass arguments.

3. Mr. Sukanta Karmakar, learned APP for the State, submits that as the Advocate for the Petitioner having owned the responsibility for the absence 16th July, 2025, he leaves the matter to the Court.

4. In view of the statements made in the Application and the vehement submissions advanced by Ms. Rekha Gaikwad, in the

interest of justice, this Application is allowed in terms of prayer clause (a). Order dated 16th July, 2025, passed in Criminal Writ Petition No. 1057 of 2024 is recalled and the Criminal Writ Petition No. 1057 of 2024 is restored to file.

5. Interim Application No. 3509 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)