

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4842 OF 2025
IN
CRIMINAL APPLICATION NO. 340 OF 2022

Balkrishna Gopal Kshirsagar And Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr. Vedant Babar i/b Mr. Rahul Shivaji Kadam, learned Advocate for the Applicants.

Mr. Tanveer Khan, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.
DATE : 13th JANUARY 2026.

P.C. :

INTERIM APPLICATION NO. 4842 OF 2025

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

“[A] That this Hon’ble Court be pleased to allow the present Interim Application and thereafter the order Dt. 09.12.2025 passed in Criminal Application No. 340 of 2022, of dismissal for non-prosecution be recalled & the matter may be restored to its original file for hearing.”

2. Mr. Vedant Babar, learned Advocate appears on behalf of the Applicants and submits that it was on account of the mistake on the part of office of Advocate representing the Applicants that resulted in the matter being missed and consequently, non-appearance of the Advocate for the Applicants on 09.12.2025. He submits that the mistake was a bonafide mistake and as such, requests for

restoration of the proceedings.

3. Mr. Khan, learned A.P.P. for the State/Respondent fairly submits that the mistake being of the Advocate, the Application can be allowed and the matter be restored.

4. In view of the above, Interim Application No. 4842 of 2025 is allowed. The order dated 09.12.2025 dismissing Criminal Application No. 340 of 2022 for non-prosecution, is recalled and Criminal Application No. 340 of 2022 is restored to its original file.

CRIMINAL APPLICATION NO. 340 OF 2022

1. Mr. Vedant Babar, learned Advocate for the Applicants requests for 3 weeks' time to argue the matter.

2. At the request of Mr. Vedant Babar, learned Advocate for the Applicants and by consent of the parties, list the matter on 5th February 2026.

[ASHWIN D. BHOBE, J.]

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