

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

INTERIM APPLICATION NO. 558 OF 2026

IN

CRIMINAL APPLICATION NO. 853 OF 2024

Shri. Anand Sadashiv Londhe & Ors.

...Applicants

Versus

The State of Maharashtra & Anr.

...Respondents

Ms. Trupti M. Khamkar a/w Mr. Vaibhav Birmole, learned Advocates for the Applicants.

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

CORAM : ASHWIN D. BHOBE, J.

DATE : 26th MARCH 2026.

P.C. :

1. Heard Ms. Trupti Khamkar, learned Advocate for the Applicants and Mr. Tanveer Khan, 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 03.07.2025 by which Criminal Application No. 853 of 2024 was dismissed for non-prosecution.

3. Order dated 03.07.2025 reads as follows :-

“1) None for Applicants, when called out for hearing.

2) Dismissed for non-prosecution.”

4. Ms. Trupti Khamkar, learned Advocate for the Applicants states that on account of inadvertent mistake on her part that none

appeared on the date the Criminal Application was listed before this Court, which resulted in dismissal of Criminal Application No. 853 of 2024. She submits that on account of the lapses on the part of office of the Advocate representing the Applicants, the Applicants should not be denied of an opportunity of hearing of the Criminal Application. She therefore requests that the proceedings be restored and the same be heard on merits.

5. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent makes a statement that notice was issued in the said Criminal Application and the same was at pre-admission stage. He fairly submits that the Advocate for Applicants has owned the responsibility of her absence on 03.07.2025, as such he states that this Application can be allowed by condoning the delay and by restoring Criminal Application No. 853 of 2024.

6. For the reasons stated in the Interim Application, the statement made by Ms. Trupti Khamkar, learned Advocate for the Applicants before this Court today that the lapse was on her part and the No Objection by Mr. Tanveer Khan, learned A.P.P., the delay in filing this Interim Application is condoned, the dismissal order dated 03.07.2025 is recalled and Criminal Application No. 853 of 2024 is restored to its original file.

7. Interim Application No. 558 of 2026 is allowed in terms of prayer clauses (a) to (c).

[ASHWIN D. BHOBE, J.]