

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 925 OF 2026
IN
WRIT PETITION NO. 4804 OF 2025

Sunil Omprakash Kokacha & Anr.

...Applicants/
Petitioners

Versus

The State of Maharashtra

...Respondent

Mr. Tuushar Sonawane, learned Advocate for the Applicants/Petitioners.

Ms. Pallavi N. Dabholkar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th MARCH 2026.

P.C. :

1. Heard Mr. Tuushar Sonawane, 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 19.09.2025 by which Criminal Writ Petition No. 4804 of 2025 was dismissed for non-prosecution.

3. Order dated 19.09.2025 reads as follows :-

“None appears for the petitioners.

2) *Writ Petition No. 4804 of 2025 is dismissed for non-*

prosecution.”

4. Mr. Tuushar Sonawane, 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. 4804 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 19.09.2025, as such she states that this Application can be allowed by condoning the delay and by restoring Criminal Writ Petition No. 4804 of 2025.

6. For the reasons stated in the Interim Application, the statement made by Mr. Tuushar Sonawane, learned Advocate for the Applicants before this Court today that the lapse was on his part and the No Objection by Ms. Pallavi Dhabolkar, learned A.P.P., the delay in filing this Interim Application is condoned, the dismissal order dated 19.09.2025 is recalled and Criminal Writ Petition No. 4804 of 2025 is restored to its original file.

7. Interim Application No. 925 of 2026 is allowed in terms of prayer clauses (b) & (c).

[ASHWIN D. BHOBE, J.]