



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.1251 OF 2026
AND

CRIMINAL APPLICATION (APPP) NO.1256 OF 2026

IN
CRIMINAL APPLICATION (APL) NO.978 OF 2021

Mohammed Tohid Haji Hanif Jada

Vs.

State of Maharashtra, through Police Station Officer, Police Station
Bhiwapur, District Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. R. Ingole, Advocate for applicant.
Mr. N. H. Joshi, APP for non-applicant No.1/State.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.
DATED : 17/04/2026

1. This is an application for condonation of delay of 160 days in filing the application for restoration. For the reasons stated in the application, the application is **allowed**.
2. The delay of 160 days caused in filing the restoration application is condoned.

CRIMINAL APPLICATION (APPP) NO.1256 OF 2026

1. This is an application seeking restoration of the Criminal Application (APL) No.978/2021 to its original file by setting aside the order dated 17.12.2025. We have gone through the impugned order. As we were not inclined to

entertain the application for quashing, the learned counsel for respective parties sought withdrawal and accordingly permission was granted. Apart from the fact that the application for restoration is not maintainable as more appropriate remedy is available, even on merit, we do not see any case for recall.

2. We have gone through the daily board. The presence of the respective counsels in both Criminal Application (APL) Nos.978/2021 and 909/2021 is marked on the daily board, even though same has inadvertently not shown in the order. The fact remains that both the counsels in applications referred supra were present and when we showed our disinclination, both the counsels sought permission to withdraw. We therefore, do not see any case either to restore the said APL or to recall the said order.

3. The application is without any merit and rejected as such.

(NANDESH S. DESHPANDE, J) (URMILA JOSHI-PHALKE, J)