

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR CONDONATION OF DELAY) NO.
2498 of 2026**

**In F/CRIMINAL MISC.APPLICATION/3871/2026
In F/CRIMINAL APPEAL/36187/2025**

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SURESHBHAI MOTIBHAI PARMAR
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MS DIPMALA S DESAI(6596) for the Applicant(s) No. 1
NOTICE SERVED for the Respondent(s) No. 2,3,4
MS JYOTI BHATT, ADDL. PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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**CORAM: HONOURABLE MR. JUSTICE HEMANT M.
PRACHCHHAK**

Date : 25/06/2026

ORDER

1. Learned counsel Mr.Jignesh Hajare states that he has received instructions to appear on behalf of the respondent Nos.2 to 4 - original accused and he will be filing his appearance during the course of the day.

Registry is directed to accept the Vakalatnama of learned counsel Mr.Hajare on behalf of the respondent Nos.2 to 4.

2. RULE. Learned APP waives service of notice of Rule for respondent No.1 - State and learned counsel Mr. Hajare, waives service of notice of Rule for respondent Nos.2 to 4 - original accused.

3. Present application is filed by the applicant for condonation of delay of 44 days caused in filing application seeking restoration of F/Criminal Appeal No.36187 of 2025 which came to be dismissed for

default for non-removal of office objections.

4. Heard learned counsel appearing for the respective parties.

5. Learned counsel Mr.Hajare, appearing on behalf of the respondents - accused, has vehemently opposed this application and submitted that there is no satisfactory explanation rendered by the applicant for the delay occurred in filing the application seeking restoration and therefore, the present application may be rejected.

6. However, considering the averments made in the application, more particularly in paragraphs 3, 4 and 5, the present application is hereby allowed. The delay of 44 days is hereby condoned. Rule is made absolute.

(HEMANT M. PRACHCHHAK,J)

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