

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**927 CRIMINAL APPLICATION NO. 3263 OF 2015
IN
CRIMINAL APPLICATION NO.3262 OF 2015**

Shri.Kedareshwar Sahakari Sakhar
Karkhana Ltd. ... Applicant.

Versus

The State of Maharashtra and
another. ... Respondents.

...
Mr. V.B.Jadhav, Advpcate h/f. Mr.Ashwin V. Hon, Advocate
for Applicant;
Mr.S.K.Tambe, A.P.P. for Respondent No.1 / State ;
Mr.R.K.Temkar, Advocae for Respondent No.2.
...

CORAM : P.R.BORA, J.

Date of Reserving the order : 02.12.2015

Date of Pronouncing the order : 05.12.2015

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PER COURT:-

1) Applicant has filed the present application seeking condonation of delay, which has occasioned in preferring an application by it seeking leave to file an appeal under section 378(4) of the Code of Criminal Procedure against the judgment and order passed by the Judicial Magistrate, First Class, Shevgaon in Summery Trial Case No.45/2002 passed on 11.12.2014 for the offence punishable under section 138 of the Negotiable Instruments Act.

2) Heard the learned Counsel appearing for the applicant. Delay occasioned in filing the application is of 132 days. The Learned Counsel appearing for the respondent No.2 has strongly opposed for condoning the delay.

3) After having considered the reasons stated in the application for causing the delay in filing the application, I am convinced that sufficient grounds are made out for condoning the delay. Hence, following order.

ORDER

- a) Criminal application is allowed.
- b) The delay caused in filing the criminal application under section 378(4) of the Code of Criminal Procedure is condoned.

(P.R. BORA, J.)

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