

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5153 OF 2013

IN

CRIMINAL APPLICATION NO.5152 OF 2013

The State of Maharashtra,
Through Police Station Jamkhed,
Dist-Ahmednagar.

...APPLICANT

VERSUS

Mahadeo Narayan Shinde,
Age-30 years, R/o-Harinarayan Ashta,
Tq-Ashti, Dist-Beed.

...RESPONDENT

...

Mr. D.V. Tele, A.P.P. for Applicant.
Mr. P.P. Kothari Advocate h/f. Mr. Satyajit
Bora Advocate for Respondent.

...

CORAM: A.I.S. CHEEMA, J.

DATE : 23RD FEBRUARY, 2015

ORDER :

1. Heard learned A.P.P. for State and learned
counsel for Respondent-accused.

2. The learned A.P.P. has filed affidavit stating that proposal was sent to Law and Judiciary Department on 2nd August 2013. He submits that for the reasons mentioned in the Application, delay may be condoned.

3. Learned counsel for Respondent opposes the Application submitting that Judgment was passed on 28th September 2012 and the proposal for the same was sent to Law and Judiciary Department on 2nd August 2013. According to the counsel, the Applicant claims that there was no certified copy of the Judgment when the proposal came back and proposal was sent to concerned Additional Public Prosecutor allegedly by letter dated 19th August 2013. According to him, copy of that letter has not been filed. It is argued that the delay has not been properly explained.

4. Going through the reasons stated and looking to the main Criminal Application No.5152

of 2013, in the interest of justice, the delay is condoned.

5. Criminal Application No.5153 of 2013 stands disposed of accordingly.

6. Criminal Application No.5152 of 2013 be listed for admission hearing on 10th March, 2013.

7. Call for Record and Proceedings.

[A.I.S.CHEEMA, J.]

asb/FEB15