

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1830 OF 2012

Vishwas Jagganath Jadhav .. Applicant
Versus
The State of Maharashtra & Ors .. Respondents

Mr.Sachin Chandan, Advocate for the applicant.
Mr.Vishal Kolekar, Advocate for respondent nos.2 and 3.
Mr.Rahul S. Kate, Advocate for respondent nos.4 and 5.
Ms.Anamika Malhotra, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 10th MARCH, 2015

P.C. :

1 Heard.

2 Though this application has been filed seeking condonation of delay in filing an Appeal against the order of acquittal, it transpired that the Appeal is being filed by the appellant in his capacity as the victim and by virtue of the proviso to section 372 of the Code.

3 It has been held by this Court (majority view) that for such Appeal, not only no leave is necessary, but also no specific time limit has been prescribed for preferring the same.

4 In view of this, it is not necessary to pass a formal order condoning the delay.

5 Application is disposed of with the aforesaid observations.

6 The Appeal be numbered and be placed on board for admission on 24th March 2015.

(ABHAY M.THIPSAY, J)