

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

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.43 OF 2014**

**CB, BS&FC, MUMBAI**

**)...APPLICANT**

**V/s.**

**BHUPEN CHAMPAKLAL DALAL & ORS.**

**)...RESPONDENTS**

Shri S.K.Shinde, Public Prosecutor, a/w. Shri Y.M.Nakhwa, APP,  
for the Applicant – CBI.

Shri Bhupen C. Dalal – Respondent No.1 – appearing in person.

Shri Akash P. Shah, Advocate for Respondent Nos.4, 5 & 6.

Smt.Racheeta Dhuru i/b. Smt.Sangita Gudhka & Shri Kevin  
Chettiar, Advocate for Respondent No.7.

Shri D.P.Adsule, APP for the Respondent - State.

**CORAM : ABHAY M. THIPSAY, J.**

**DATE : 23<sup>rd</sup> OCTOBER 2015.**

**P.C. :**

1 Heard Shri S.K.Shinde, learned Public Prosecutor for  
the CBI. Heard Respondent No.1. Heard Smt.Racheeta Dhuru,  
learned counsel for respondent no.7. Heard Shri Akash P. Shah,  
the learned counsel for respondent nos.4, 5 and 6.

2           The delay is of 142 days. The only ground, on which condonation of delay is sought for, as mentioned in paragraph 7 of the application, is to the effect, that '*the appeal could not be filed within the limitation period due to various administrative reasons in which the file had to be routed through various senior officers at Mumbai and New Delhi and taking opinion of various Law Officers.*' No details of the movement of the relevant files have been given. Even otherwise, accepting such a ground, as justification for the delay and for its condonation is legally untenable.

2           Apart from this, the learned counsel for the respondents and respondent no.1 have pointed out to me that the prosecution pertains to an offence, that allegedly took place in the year 1990. The First Information Report (FIR) was lodged in the year 1993. The trial concluded in the year 2013. The respondents also submitted that no financial loss has been caused to any institution by commission of the alleged offences.

3           Shri Shinde, submits that, if given time, he would give  
the relevant details and better grounds for condonation of delay,  
by amending the application. However, such a prayer is made,  
only when the court indicated that the application for condonation  
of delay would be dismissed.

4           As such, the prayer is rejected.

5           The application is dismissed.

**(ABHAY M. THIPSAY, J.)**

**CERTIFICATE**

**Certified to be true and correct copy of the original  
signed Judgment / Order.**