

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.102 OF 2015

Digambar Mahipati Wadekar

..Applicant

V/s.

Gurnamsingh Surendrasing Bhatiyani
and Anr.

.. Respondents

Mr.Manoj Mohite, for applicant-appellant.

Mr.A.R. Patil, APP for respondent-State.

Mr.Abhijit P. Kulkarni, for respondent no.1.

CORAM : A. R. JOSHI, J.

DATE : 7TH JULY, 2015.

P.C.

1. Heard rival submissions on this application for condonation of delay of 36 days in preferring the appeal along with application for leave to challenge the acquittal of respondent in the matter of offence punishable under section 138 of Negotiable Instruments Act.

2. For the reason mentioned in para no.4 and 5 in the application the delay of 36 days is condoned and as such the application is allowed and disposed of.

3. The application for leave to file appeal be numbered and fixed for hearing on adjourned date. Respondent no.1 to waive service of said application for leave. The learned APP for respondent no.2-State waives service.

4. Stand over to 28th July 2015.

(A. R. JOSHI, J)