

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPLICATION NO.1534 OF 2014
IN
CRIMINAL APPEAL (ST) NO.893 OF 2014**

Mohd. Ehteshyam Gulam Rasul Shaikh ... **Applicant**
V/s.
Ashraf Mansoor Khan & Ors. ... **Respondents**

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Mr.Sandeep Maurya i/b. Kavita V., Advocate for the Applicant.
Mr.Saurabh Singha h/f.Mr.Husen Shaikh, Advocate for the
Respondent No.1.
Zindagi Shah, Advocate for the Respondent No.2.
Mr.Shantanu Phanse, Advocate for the Respondent No.3.
Mr.Deepak Thakre, APP for the Respondent/State.

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CORAM : ABHAY M. THIPSAY J.

DATED : 13TH MARCH 2015

P.C.

1. This appeal has been filed in the capacity of the applicant/appellant as the victim and purportedly under the proviso to Section 372 of the Code.

2. It has been held by this Court (Majority View)¹ that such appeal by the victim does not require any leave and further no specific time limit has been prescribed for filing such an appeal.

¹ Criminal Appeal Nos.991,992,331 & 854 of 2011, decided on 22/06/2012.

3. As such, it is not necessary to pass a formal order condoning the delay.
4. The application is disposed of with the aforesaid observations.
5. The appeal be numbered and be placed on board on **19th March 2015 (High on Board)**.

(ABHAY M. THIPSAY J.)