

(1)

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

**CRIMINAL APPLICATION NO.3719 OF 2016
IN
CRIMINAL REVISION APPLICATION (ST.) NO.165 OF 2016**

Vasant Kondiba Shirsat

..APPLICANT

VERSUS

Shri Kedareshwar Sahakari Sakhar
Karkhana Ltd., Sumannagar,
Bodhegaon

.RESPONDENT

Mr P.R. Nangare, Advocate for applicant;
Mr Ashwin V. Hon, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 29th September, 2016

ORAL ORDER :

Heard.

2. By the present application, the applicant seeks condonation of delay of 127 days, caused in filing Criminal Revision Application. The applicant is convicted by the learned Magistrate for offence punishable under section 138 of the Negotiable Instruments Act, which was confirmed in appeal.

3. The prayer for condonation of delay is opposed by the learned Counsel appearing on behalf of the respondent on the ground that delay is not explained properly and the intention was to take benefit of delayed proceedings.

4. Since the revision is presented against conviction, in my opinion, delay needs to be condoned and accordingly it is condoned.

(2)

5. Criminal Application stands allowed.

N.W. SAMBRE, J.)

amj