

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO.6901 OF 2014
AND
CRIMINAL APPLICATION NO.6900 OF 2014**

Shaikh Kayyum Abdul Hamid ..Applicant

Versus

Ravindra Sharma s/o. Ramavtar
Sharma and anr. ..Respondents

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None present for the applicant

Mr.S.N.Landge, advocate for respondent no.1

Mr.R.B.Bagul, APP for respondent no.2 - State

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**CORAM : M.T. JOSHI, J.
DATE : JANUARY 18, 2016**

PER COURT :

None present for the applicant.

2] The record would reveal that continuously since 28th April, 2015, nobody is appearing for the applicant though the matter was adjourned from time to time.

3] By the present application, the original complainant, whose complaint for the offence punishable under Section 138 of the Negotiable Instruments Act was dismissed and the respondent was acquitted, wants to prefer an appeal and therefore, he has filed the application for grant of leave to file the appeal. As there is delay of 87 days in filing the said application, present application for condonation of delay is filed.

4] It was submitted in the application that since the applicant was suffering from Jaundice and was taking Ayurvedic treatment, the appeal could not be filed within time. However, the documents to that effect are not produced on record.

5] In the circumstances, Criminal Application No.6901 of 2014 for condonation of delay, is rejected.

6] In view this, Criminal Application No.6900 of 2014 for grant of leave to file appeal, does not survive and the same stands disposed of.

[M.T. JOSHI, J.]

kbp