

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 16 OF 2015

Ashfaq Mohammad Farooq Mujawar. ... Applicant.
Versus
Naushad I. Bobde & anr. ... Respondents.

None for Applicant.

Mr. Kartik Garg h/f. Mr. Anand Patil, advocate for respondent No. 1.

Mr. Rajesh More, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : JANUARY 29, 2016

P.C.:

1 None appears for the applicant. This is an application seeking condonation of delay in filing the application seeking leave to appeal. The applicant happens to be the original complainant in Complaint No. 2889 of 2009. The respondent is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act vide

Judgment and Order dated 3/5/2014. There is delay of 20 days in filing the appeal.

2 The learned Counsel for the respondent vehemently objected to condone the delay and has submitted that it is necessary to consider the merits of the matter before delay is condoned.

3 However, the matter can be decided on merits at the stage of considering the application seeking leave to appeal.

4 For the reasons assigned in paragraph- 4, 5 and 6, delay of 20 days in filing leave to appeal is hereby condoned in the interest of justice. The application is allowed in terms of prayer clause (b). The application stands disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)