

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

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.98 OF 2015**

**JOHN AUGUSTINE GOMES )...APPLICANT**

**V/s.**

**DAVID AUGUSTINE PEREIRA AND ANR. )...RESPONDENTS**

Shri Sanjay Bhatia, Advocate for the Applicant.

None for Respondent No.1.

Shri A.R.Patil, APP for the Respondent - State.

**CORAM : ABHAY M. THIPSAY, J.**

**DATE : 4<sup>th</sup> JANUARY 2016.**

**P.C. :**

1 None present for respondent no.1, despite service.

2 Heard Shri Sanjay Bhatia, the learned counsel for the applicant. I have gone through the averments made in the application.

3           Respondent no.1 has not chosen to remain present and  
oppose the application for condonation of delay.

4           Under the circumstances, considering the averments in  
paragraph 3 and paragraph 4 of the application, and upon hearing  
the learned counsel for the applicant, I am inclined to condone the  
delay.

5           The application is allowed.  
Delay condoned.

6           The application for leave to appeal be numbered and  
be placed on board for **Admission** on **11<sup>th</sup> January 2016**.

**(ABHAY M. THIPSAY, J.)**

**CERTIFICATE**

**Certified to be true and correct copy of the original  
signed Judgment / Order.**