

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL REVISION APPLICATION NO. 330 OF 2015

The State of Maharashtra

... Applicant
(Ori.Complainant)

vs.

Anu Vikas Devkar and ors.

... Respondents

Ms. Anamika Malhotra, Additional Public Prosecutor for the State.
Mr. Anand Patil, Advocate for respondents No.1,2,4 & 5.

Coram : Smt. R. P. SondurBaldota, J.

Date : 15th February, 2016.

P. C. :

1. This revision application is directed against the order dated 27th March, 2015 by which the Sessions Court, Kolhapur dismissed the application of the State under Section 5 of the Limitation Act for condonation of delay of 106 days in filing appeal against the Judgment of acquittal in Regular Criminal Case No.104 of 2009. The only ground stated vaguely in the application for condonation of delay was administrative difficulties of the State. That was rejected by the Sessions Court as not satisfactory.

2. The applicant had applied for the certified copy of Judgment within 12 days from the date of the Judgment and also

received a copy thereof on 12th February, 2012. Thereafter, it was expected to file appeal immediately. But the proposal for permission to file appeal was sent to the District Magistrate, Kolhapur as late on 6th August, 2012. There is no explanation given by the State for this delay as well as the delay occasioned thereafter. The Sessions Court, therefore, dismissed the application holding that the delay is inordinate and deliberate.

3. On perusal of the record no infirmity can be found with the impugned order. Hence, the revision application is dismissed.

[Smt. R. P. SondurBaldota, J.]