

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 634 OF 2014

Shri Rajesh Ramchandra Suryawanshi... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Abhasingh Shinde i/b Mr. Rahul S.Kulkarni, Advocate for the appellant.
Ms. Prerana Silimkar i/b. Mr. Ashish S. Gaikwad, for respondent No.1.

Ms. A.A.Mane, APP, for the State.

CORAM: SMT. SADHANA S.JADHAV, J.

DATE : 8th March, 2016.

P.C.

This is an application seeking condonation of delay in filing an application seeking leave to appeal challenging the order passed by the Judicial Magistrate, First Class, Jaisingpur, in Summary Criminal Case No.33 of 2011. The delay is of 63 days.

2. For the reasons assigned in paragraph 5 of the application, the delay of 63 days deserves to be condoned in the interest of justice.

3. The learned counsel appearing for the respondent has vehemently opposed the application seeking condonation of delay on the

ground that no substantial reasons have been stated for condoning the delay. She submits that the documents annexed by the applicant would show that his mother was not keeping good health cannot be relied upon as already stated in the application as April 2014 to September 2014. The order is passed on 24.6.2014. It is further submitted that as has been stated in the certificate, his mother was suffering only from hypertension and diabetes which cannot be said to be a disease which needs to be taken care of by the applicant. However, in the interest of justice, the delay deserves to be condoned. Hence, the application is allowed in terms of prayer clause (a). The delay of 63 days in filing an application seeking leave to appeal is condoned in the interest of justice.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)