

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 642 OF 2014

Kolhapur Zilla Madhyavarti Sahakari
Bank Ltd.

Applicant

vs.

Ichalkarangi Co-op. Cement
Industries Ltd. & Anr..

Respondents

Mr. Aniket U. Nikam, Advocate for the applicant

Mr. Kedar lad i/b. Mr. Pradeep D. Dalvi, for respondent No.2.

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

CORAM: SMT. SADHANA S.JADHAV, J.

DATE : 15th April, 2016.

P.C.

This is an application seeking condonation of delay in filing an application seeking leave to appeal against the judgment and order passed by the learned Magistrate, First Class, Kolhapur, thereby acquitting the respondent No.2 of offence punishable under Sections 138 of Negotiable Instruments Act in Summary Criminal Case No.2941 of 2011 vide judgment and order dated 8.5.2014. The delay is of 121 days.

2. The learned counsel appearing for the respondent has vehemently opposed the application stating therein that the complainant is the Central Co-op. Bank and that the delay is not satisfactorily explained. In any case, the matter can be decided on merits.

2. In view of this, for the reasons assigned in paragraphs 3, 4 and

5 of the application, the delay deserves to be condoned in the interest of justice. Hence, the application is allowed in terms of prayer clause (a) of the application. Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)