

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CRIMINAL APPLICATION (APPP) NO.6 OF 2016

IN

CRIMINAL APPLICATION (APPR) NO.1 OF 2016

IN

CRIMINAL REVISION NO.82 OF 2010

(Kalidas s/o Namaji Lade ..vs.. The State of Maharashtra, through PSO, PS Gadchiroli and another)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Amit Khare, Advocate for the applicant,
 Shri C.A. Lokhande, Addl.P.P. for the non-applicant No.1.

CORAM : P.N. DESHMUKH, J.

DATED : 25-11-2016

Heard learned Counsel for both the parties.

The learned Counsel for the applicant has submitted that the present application is filed for condonation of delay of 303 days caused in filing restoration application being Criminal Application (APPR) No.1/2016 for restoration of Criminal Revision No.82/2010, which came to be dismissed in default. Admittedly, revision is by way of challenge to the order of conviction of the applicant for the offences punishable under Sections 408, 420, and 468 of the Indian Penal Code. The revision came to be dismissed as the learned Counsel for the applicant failed to attend the Court on a particular date. For the grounds mentioned in the application, the delay caused in filing restoration application for restoration of criminal revision is condoned, in the interest of justice.

The application is allowed accordingly.

Criminal Application No.1/2016.

The learned Counsel for the applicant seeks leave to amend the application by correcting designation of the Court, which has dismissed the appeal preferred by the applicant against the order of his conviction by the learned Chief Judicial Magistrate.

Leave as prayed is allowed.

Amendment be carried out forthwith.

By this application, the learned Counsel for the applicant seeks prayer for restoration of Criminal Revision No.82/2010.

For the grounds mentioned in the application and as revision is preferred against conviction of the applicant in Criminal Appeal No.1/2008 decided by the learned District Judge, Gadchiroli thereby upholding the conviction awarded by the learned Chief Judicial Magistrate, the application is liable to be allowed, in the interest of justice.

Criminal Revision No.82/2010 is thus restored on file of this Court and be shown for admission.

The application is allowed accordingly.

Criminal Revision No.82 of 2010.

As revision was admitted and the applicant's substantive sentence was suspended by an order passed in Criminal Application No.116/2010, the applicant shall

be released on same bail on furnishing fresh bonds.

JUDGE

adgokar