

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

913 CRIMINAL APPLICATION NO. 1712 OF 2017

CENTRAL BUREAU OF INVESTIGATION
ANTI-CORRUPTION BRANCH,
BANDRA, MUMBAI.

VERSUS

ULFATSING BASTIRAM VERMA

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Mr. S.B.Deshpande, Asstt. Solicitor General
of India for Applicant.

Mr. S.V.Mundhe h/f Mr. K.C.Sant,
Advocate for Respondent.

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CORAM : V.L.ACHLIYA, J.

DATE : 28th JULY, 2017

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ORDER :

1. The applicant-Central Bureau of Investigation has preferred this application seeking condonation of delay in filing application seeking leave to file Appeal along with Appeal against the impugned Judgment and order of acquittal dated 05/07/2016 delivered in Special SBI Case No. 1/2014 by the Special Judge [CBI], Bhusawal, district

Jalgaon for the reasons set out in detail in the application.

2. Mr. Deshpande, Assistant Solicitor General of India appearing for the applicant strenuously contended that the delay is not deliberate but it was caused due to complying the formality i.e. to secure approval at various stages. He submits that if delay is not condoned, there is every likelihood that meritorious matter may be dismissed for technical reason.

3. On the other hand, learned counsel for the respondent opposed the application with contention that no sufficient cause has been assigned to condone the delay.

4. Having appreciated the submissions advanced in the light of reasons assigned, I am of the opinion that the delay deserves to be condoned. In case delay is not condoned, there is every likelihood that meritorious matter may result into dismissal due to technical reason. However, if delay is condoned, no serious prejudice would cause to the respondent, as ultimately the case will be decided on its own merit. I am, therefore, inclined to

allow the application. Accordingly the application is allowed. Delay is condoned. Application seeking leave to file Appeal be registered and place for hearing on 11/08/2017. Learned counsel for the respondent waives notice for the respondent.

[V.L.ACHLIYA, J.]

KNP/Cr.Apln. 1712.2017