

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

4 CRIMINAL APPLICATION NO. 2195 OF 2016
IN APPLN/2194/2016

SMT. ASHA KISAN SATHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Nitin B. Suryawanshi
APP for Respondents: Mr. B.A. Shinde

CORAM : K.K. SONAWANE, J.

DATE : 15TH JUNE, 2017.

PER COURT:

1] Heard learned counsel for the appellant and learned counsel for the respondent.

2] There is a delay of about 137 days in filing application seeking leave to file appeal against the judgment and order of acquittal. Learned counsel for the applicant submits that the applicant is a rustic and poor woman and she has no source of income to approach to the Honourable High Court for filing appeal. Moreover, she was under the impression that the appeal would lie to the Sessions Court under Section 372 of Cr.P.C. and, therefore, there is a delay in filing the present proceeding.

3] Learned counsel for the respondent raised objection and submits that delay has not been properly explained and cannot be condoned.

4] In view of the nature of subject matter and for the reasons stated in the application, delay is condoned. Application for condonation of delay stands allowed.

5] Matter be listed for hearing on application seeking leave to file appeal on 11th July, 2017

6] Meanwhile, call for R. & P.

[K.K.SONAWANE]
JUDGE.

ssa/-