

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

914 CRIMINAL APPLICATION NO. 2303 OF 2016
APPLN/2302/2016

THE STATE OF MAHARASHTRA
VERSUS
PRABHAVATI MACHHINDRA WARE

...
A.P.P. for Applicant : Mr. A.P.Basarkar
Advocate for Respondent-1 : Mr. Vivek Deshmukh.
Advocate for Respondent-2 : Mr. Anant R. Devakate.
...

CORAM : K.K. SONAWANE, J.

DATED : 05th JULY, 2017.

Order :-

1. Mr. Vivek Deshmukh and Mr. Anant R. Devakate learned Advocates submit that they have instructions to appear on behalf of the respondents No.1 and 2 respectively and undertake to file vakalatnama on their behalf in the registry during the course of day.

2. There is delay of four (04) days in filing the application under section 378(1)(3) of the Cr.P.C. to present an appeal against the impugned judgment and order of acquittal of the respondent in Special Case No. 9 of 2014 passed by the learned Trial Court.

3. The learned counsel for the respondents have no objection to condone the delay.

4. For the reasons mentioned in the application and no objection on behalf of the respondents, the application is allowed in terms of prayer clause 'B'. Delay is condoned. Accordingly, application stands disposed of. Registry to take steps for further process.

5. List the application for seeking leave under section 378 (1)(3) of the Cr.P.C. for hearing on 1st August, 2017.

[K. K. SONAWANE]
JUDGE

RRD.