

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CRI.APPLN.NO.3196 OF 2017

16 CRIMINAL APPLICATION NO. 3196 OF 2017

SUNIL RAMRAO CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr.Gangakhedkar Shailendra S.
APP for Respondent State: Mr.R.B.Bagul
Advocate for respondent nos. 2 and 3:
Mr.Chaudhari M Mujeebuddin

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CORAM : P.R. BORA, J.
Dated: November 13, 2017

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PER COURT :-

1. Leave to correct.

2. Heard learned Counsel for the applicant and the learned Counsel appearing for the respondent. Delay of 46 days has occurred in filing an application by the present applicant seeking leave to appeal. The reasons are assigned in paragraph no.4 of the application. Learned Counsel for the respondent has opposed for condoning the delay stating that the reasons which are assigned are insufficient to condone the delay. Learned Counsel submits that the only reason assigned is that the applicant was in puzzle whether to file revision application or an appeal and that cannot be a reasonable ground for condonation of delay. Learned Counsel has also prayed for costs in the event the application is allowed.

agp/-

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(2) CRI.APPLN.NO.3196 OF 2017

3. After having considered the submissions on behalf of the parties, and the material on record, I deem it appropriate to pass the following order:

ORDER

1. For the reasons which are stated in the application, which, according to me, are just and sufficient, the delay of 46 days caused in filing the criminal application seeking leave to prefer appeal is condoned. Criminal Application for condonation of delay stands disposed of.

2. Criminal Application seeking leave to prefer appeal be registered in accordance with law and be placed for hearing after four weeks.

3. Call for R. & P.

(P.R. BORA, J.)

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