

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 351 OF 2016
[for condonation of delay]

IN

CRIMINAL CRIMINAL No. OF .
[for leave to appeal]

The State of Maharashtra. ..Applicant.

Versus

Vinod Sonaba Jagtap. ..Respondent.

Mrs. G. P. Mulekar, APP for the State.

Coram : Ranjit More &
P. R. Bora, JJ.

Date : **January 13, 2017.**

P. C. :

1. The application is filed for condonation of 17 days' delay occurred in filing application for leave to appeal against the judgment and order dated 10th February 2016 passed by the Additional Sessions Judge, Solapur in Sessions Case No.248 of 2014. By the order dated 17th November 2016, notice was issued to the Respondent. The record indicates that the Respondent is served with the notice. Learned APP makes a statement that the Respondent is served and affidavit-of-service is also filed. Despite service, none appears on behalf of the Respondent. In the absence of appearance on behalf of the Respondent, the averments made in the application are deemed to be have been accepted by the Respondent. Otherwise also we find that the State has made out a case for condonation of delay by making averments in paragraph 2 to 4. Hence, application is allowed in terms of prayer clause (b).

[P. R. BORA, J.]

[RANJIT MORE, J.]