

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 273 OF 2013

M/S. Brahma Builder ...Applicant

Versus

Madhav Pandurang Mohite and anr. ...Respondents

Mr.Kuldeep Nikam for the applicant.

Mr.Sachin R. Pawar for Respondent No.1

Shri.Y.M.Nakhwa, APP for the State.

CORAM: A.M. BADAR, J.
DATED: 15th DECEMBER 2017

PC:-

1. This is an application for condonation of delay in filing an application for leave to appeal. The complaint for the offence punishable under Section 138 of the Negotiable Instruments Act filed by the present applicant was dismissed for want of prosecution.

2. Heard the learned advocate appearing for the applicant as well as the learned advocate appearing for the respondent No.1. The learned APP appears for respondent No. 2. The learned advocate for the respondent No.1 argued that there is no sufficient cause for condoning the delay.

3. The application for condonation of delay of 189 days is on affidavit. The same is not countered by filing any counter affidavit. The delay is sufficiently explained in the application and therefore, the following order:

- i) The application for condonation of delay is allowed.
- ii) The delay is condoned.

(A.M. BADAR, J)