

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

CRIMINAL APPLICATION NO.708 OF 2015

M/s. Omkar Trading Company
through its Proprietor
Mr. Gopal Harilal Lohar

...Applicant

Versus

M/s. Kamal Engineering Works
through its Proprietor
Mr. Ramkishan Jagnandan Kanojiya
& Anr.

...Respondents

.....

Mr. Harshad M. Inamdar for the Applicant.

Mr. A.H. Negi for the Respondent No.1.

Mr. Prashant Jadhav, APP for the Respondent -State.

CORAM :SMT. ANUJA PRABHUDESSAI, J.

DATED: 11th AUGUST, 2017.

P.C.:-

By this application, the Applicant has sought to condone the delay in filing Appeal against the judgment and order of acquittal dated 26th May, 2015 passed by the learned Metropolitan Magistrate, 70th Court at Mazgaon, Mumbai.

2. Heard the learned counsel for the Applicant and the Respondent No.1. One of the grounds as stated in paragraph 5 of the application is that the Applicant had to arrange for finances to file the Appeal. The grounds in paragraph 5 of the application, in my

considered view constitutes sufficient ground to condone the delay in filing the application for leave to Appeal. Hence, the delay is condoned. The application for leave to Appeal be registered, if objections, if any, are removed within a period of 8 days.

3. The application stands disposed of.

4. The application for leave to appeal stands over to
28.8.2017.

(ANUJA PRABHUDESSAI, J.)