

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.639 OF 2016**

IN

CRIMINAL REVISION APPLICATION (STAMP) NO.644 OF 2016

Riyaz A. Rahiman Jamadar)...Applicant

V/s.

**Kallappa Bhimanna Medidar
and Anr.)...Respondents**

Mr. Samarth Moray i/by Jyoti Devalekar, Advocates for the Applicant.

Mr. A.A.Takalkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 8th MARCH, 2017.

P.C. :

This is an application for condonation of delay in preferring Revision Petition challenging the order of conviction recorded by the learned Additional Sessions Judge, Solapur convicting the Applicant/Accused of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2 Heard learned Advocate appearing for the Applicant/Original Accused. None appears despite service for the

Respondent No.1/Original Complainant. The learned APP for the Respondent No.2-State.

3 It is seen from the averments made in the application that the Applicant was initially acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 but ultimately in Appeal, the learned Sessions Judge convicted him. Appeal was decided in absence of the present applicant. As he was not aware about the appellate judgment, he could not file Revision Petition within time. This has caused delay in filing instant Revision Petition. The delay appears to be bonafide as the Applicant is reported to be behind bars. For the stated reasons, delay in filing Revision Petition is condoned. The Application stands disposed of accordingly.

Revision Petition be registered.

(A. M. BADAR, J.)