

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.143 OF 2015
IN CRIMINAL APPEAL NO. OF 2015

(The State of Maharashtra vs. Vasanttrao Bapurao Deshmukh and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri H.D. Dubey, Additional Public Prosecutor for
applicant.

CORAM : P.N. DESHMUKH, J.

DATED : APRIL 19, 2017

Heard Shri Dubey, learned Additional Public
Prosecutor for applicant.

Application against respondent no.6 is
already dismissed while respondent no.10 is deleted.
None for other respondents though served.

This is an application for condonation of 36
days' delay caused in filing appeal against acquittal of
respondents by learned Judicial Magistrate, First Class,
Pusad in Criminal Case No.114/1991 of the offence
punishable under Section 26(1)(a), (e) and (f) of Indian
Forest Act and Section 379 read with Section 34 of
Indian Penal Code.

For the grounds mentioned in para 5 of the
application and as it appears that applicant was required
to carry out certain formalities before preferring present
application, due to which delay was caused, which does
not appear to be intentional, application is liable to be
allowed. Even otherwise, by condoning delay, at the

most matter would be decided on merits instead of being rejected on mere technicality.

In the circumstances, application is allowed. Delay of 36 days caused in preferring appeal is condoned.

Office to register appeal.

CRIMINAL APPEAL NO. OF 2015

Issue notice to respondent nos.1 to 5, 7, 8, 9, 11, 12 and 13, returnable on 14/6/2017.

JUDGE

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