

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

CRIMINAL APPLICATION (APPA) NO. 548 OF 2016

Bhagwan s/o Asaram Jadhav V/s State of Maharashtra and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.J. Thakkar, Advocate for appellant.
Shri R.R. Rathod h/f N.T. Gwalwanshi for Respondent Nos.2 to 4.
Shri Deshpande, A.P.P for State.

CORAM : PRASANNA B. VARALE AND
MURLIDHAR G. GIRATKAR, JJ.

DATE : 04/07/2017.

Heard Shri A.J. Thakkar Advocate for the
appellant, Shri Deshpande, learned Additional
Public Prosecutor for the State and Shri R.R. Rathod
appearing for respondent Nos. 2 to 4.

Learned counsel for the appellant submit
that the applicant applied for grant of certified copy
on 21.3.2016 for the judgment and order dated
19.3.2016 recorded by the learned Additional
Sessions Judge (Link Court), Mehkar (Camp at
Buldana) in Sessions Trial No. 5/2015 thereby
acquitting respondent no. 2 to 4 for the offence
punishable under Section 302 and 498-A read with

Section 34 of Indian Penal Code. He further submit that on receiving the copy, the same was handed over to learned Public Prosecutor, Buldana. The learned counsel then submit that the applicant was under impression that necessary steps would be taken by the office of the Public Prosecutor, Buldana.

Learned counsel then submitted that it was then forwarded to Law and Judiciary Dept., Nagpur for filing an appeal. That the proposal for filing and appeal was not considered by Law and Judiciary Department. The learned counsel submits that decision of Law and Judiciary Department was not made known to the applicant for considerable period. The learned counsel then submit that the applicant then by seeking legal assistance, approach this Court by filing the present application seeking condition of delay alongwith leave to file appeal against acquittal. Learned counsel submits the delay caused is purely unintentional and for bonafide reasons.

In view of the submissions of Mr. Thakkar,

learned counsel for the applicant and for the reasons stated in the application, delay is condoned . Criminal Application disposed of.

Criminal Appeal No. _____/2017

Issue notice, returnable after two weeks.

Learned Additional Public Prosecutor waives notice for the respondent no.1. Mr. R.R. Rathod learned counsel waives notice for Respondent No.2 to 4. Learned A.P.P seeks time to file reply. At his request, two weeks time is granted.

Stand over two weeks.

JUDGE

JUDGE

Nandurkar