

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

CRI. APPLICATION (APPA) NO. 733 OF 2016

(AVINASH REWANATH NARNAWARE...VS.. SANDESH S/O NANDKISHOR SHARMA AND
ANOTHER)

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

Court's or Judge's orders

Shri. S. D. Chande, Advocate for Applicant/Appellant.

CORAM : Z.A.HAQ, J.

DATED : 27th JUNE, 2017.

PURSIS STAMP NO. 962 OF 2017.

The advocate for the applicant/appellant seeks permission to withdraw the pursis and states that the appeal need not be treated as appeal under Section 372 of the Code of Criminal Procedure and the prayer made by him under Section 378(4) of the Code of Criminal Procedure be considered.

The pursis is dismissed as withdrawn.

CRIMINAL APPLICATION (APPA) NO.733 OF 2016.

The applicant/appellant lodged the complaint to the CBI on which raid is conducted and the non-applicant / respondent No.1 is prosecuted for the offences punishable under Sections 7 and 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act. The Sessions Court has acquitted the accused by the judgment which is sought to be challenged by the applicant/appellant before this Court. As there is delay of about 114 days in filing the appeal, this

application praying for condonation of delay is filed. The explanation given by the applicant/appellant in paragraph Nos.3, 4 and 5 of the application do not constitute “sufficient cause” on the basis of which the delay can be condoned.

The application is dismissed. Consequently the prayer of the applicant/appellant (original complainant) seeking leave to file is rejected.

JUDGE

PBP