

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 13 OF 2018**

Chandrakant Jijaba Yadav

....Applicant.

Vs.

Vasant Krishna Yadav & Ors.

....Respondents.

Mr. V.R. Gaikwad for the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th MARCH, 2018.

P.C.:-

This is an Application under Section 378 (4) of the Cr. P.C. for leave to file Appeal against Order dated 4th June, 2016, passed below Exhibit No.1 in R.C.C. No. 80 of 2006 by the learned Judicial Magistrate, First Class, Wai, District Satara, thereby dismissing the Complaint of the Applicant under Section 249 of the Cr.P.C.

2 The record indicates that the Applicant had filed the said Complaint in the Court of Judicial Magistrate, First Class, Wai, District Satara, on 29th March, 2006 for the offences mentioned therein. It further appears that, even after 10 years i.e. upto the date of the dismissal of the Complaint, the Applicant did not take any steps to

proceed with the matter and on certain occasions, the Applicant remained absent. The Trial Court therefore, was constrained to dismiss the Complaint for non-prosecution.

3 After perusing the entire record, this Court is of the considered view that the Trial Court has committed no error in passing the impugned order. No case for grant of leave is made out.

4 Application is accordingly dismissed.

(A.S. GADKARI, J.)