

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.454 OF 2017

Narayansingh Mohansingh Rajput	...	Applicant
V/s.		
Rajan Digambar Dethe & Ors.	...	Respondents

Mr.Kunal Kumbhat i/b. Mrs.Sunanda Kumbhat, Advocate for the Applicant.

Mr.Nilesh Mohite i/b. Mr.Jaydeep D. Mane, Advocate for the Respondent Nos.1 to 3.

Mr.S.V.Gavand, APP for the Respondent/State.

CORAM : A.M.BADAR J.

DATED : 30th OCTOBER 2018.

P.C. :

1 This is an application for condonation of delay for
preferring an application for leave to appeal. Judgment of
conviction is reversed by the appellate Court and the applicant
seeks to assess that Judgment of the Appellant Court by filing an
application for leave to appeal.

2 The learned Additional Public Prosecutor appears for
the respondent No.4/State.

3 The learned Counsel for the respondent Nos.1 to 3 opposed the application.

4 Upon hearing the learned Counsel appearing for both the parties as well as on perusal of the pleadings in the application which are on affidavit, I am of the considered opinion that the delay in preferring an application for leave to appeal is sufficiently explained. The applicant was prevented by sufficient cause in not preferring the application within limitation. Therefore, the Order :

ORDER

- (i) The application is allowed.

- (ii) The delay in filing the application for leave to appeal is condoned.

- (iii) The application is disposed of accordingly.

(A.M.BADAR J.)