

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.65 OF 2017

Shri.Sudarshan Bhimarao Talekar	...	Applicant
V/s.		
Shri.Vitthal Champalal Nabariya & Anr.	...	Respondents

Ms.Divya V. Parab, Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent No.2/State.

CORAM : A.M.BADAR J.

DATED : 22nd OCTOBER 2018.

P.C. :

1 This is an application for condonation of delay in
preferring an application for leave to appeal for challenging
acquittal of the respondent No.1 of the offence punishable under
Section 138 of the Negotiable Instruments Act, 1881.

2 Heard the learned Counsel appearing for the
applicant/original Complainant. None appeared for the
respondent No.1.

3 Averments made in the application are not
controverted by filing counter-affidavit. The applicant has alleged

that because of prosecuting his remedy in wrong Forum, delay of 53 days occurred in preferring the application for leave to appeal.

The reason constitutes sufficient cause. Hence, 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.)