

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.194 OF 2017

Dattatray Vitthalrao Wayal

...Applicant

V/s.

The State of Maharashtra & Anr.

...Respondents

.....

Ms Sapna Krishnappa i/b. Suresh Dubey, Advocate for the Applicant.

Mrs. M.R. Tidke, APP for respondent No.1/State.

None for respondent No.2.

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CORAM : A.M.BADAR, J.

DATED : 12th OCTOBER 2018.

P.C. :

1. This is an application for condonation of delay of 185 days in preferring an application for leave to appeal in order to challenge the Judgment and Order of acquittal of respondent No.2/accused of the offence punishable under Section 420 of the Indian Penal Code.

2. The learned counsel appearing for respondent No.2 is

absent. The learned APP appears for respondent No.1/State.

3. Heard the learned counsel appearing for the applicant. She argued that after passing of the impugned Judgment and Order of acquittal of respondent No.2, the applicant/original complainant suffered from various family issues as well as ailments. Hence, he could not take up necessary steps for challenging the Judgment and Order of acquittal of respondent No.2.

4. The application is on affidavit. Averments in the application are not controverted by the respondent No.2/accused. The reasons stated therein constitute 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 instant application is accordingly disposed off.

(A.M.BADAR J.)