

Dond

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 209 OF 2017**

Central Bureau of Investigation

**..Applicant**

**Vs**

Sunil Prakash Gangurde & Anr

**..Respondents**

-----

Ms. Manisha Jagtap for applicant.

Mr. V.H. Shingnapurkar for respondent No.1.

Mr. V.V. Gangurde, APP for State.

**CORAM : A.S.GADKARI, J.**

**DATE : 2<sup>nd</sup> MAY 2018.**

**P.C.:**

1] This is an application for condonaion of delay of 1 year and 164 days in filing application for leave to file appeal against the Order of acquittal.

2] Heard the learned Special PP for the applicant and the learned Counsel for the respondent No.1.

The learned Counsel for the respondent No.1 vehemently opposed the application and submitted that no sufficient cause for condonation of delay is made out. He submitted that the chronology of events mentioned in para-5 of the application is nothing but a farce crated

by the concerned Officers of the applicant to shrug off their personal responsibility and prayed that the present application may be dismissed in limine. In support of his contention, he relied upon the decision of the Honourable Supreme Court in the case of Union of India Vs. TATA Yodogawa Limited [1988 (38) E.L.T. 739 (S.C.).

3] However for the reasons stated in the application and in the interest of justice, the delay is condoned and the application is allowed in terms of prayer clause (a) subject condition of payment of cost of Rs.10,000/- (Ten Thousand Only) to be paid to the High Court Legal Aid Committee within a period of four weeks from today

It is made clear that, the payment of cost of Rs.10,000/- (Ten Thousand Only) to the High Court Legal Aid Committee is condition precedent for condonation of delay.

4] Application is allowed in the aforesaid terms.

**(A.S.GADKARI, J.)**