

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 355 OF 2017**

Mr. Ambaji Ganu Gurav

....Applicant.

Vs.

Mr. Sachin Chandrakant Narkar & Anr.

....Respondents.

Mr. Yashpal Thakur for the Applicant.

Ms. V.S. Mhaispurkar, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th MARCH, 2018.

P.C.:-

This Application is filed for condonation of delay of 1 year and 123 days in preferring the Application for leave to file Appeal against the impugned Order dated 29th December, 2015 passed by the learned Additional Chief Metropolitan Magistrate, 5th Court at Dadar, Mumbai in C.C. No. 2450/SS/2013.

2 Mr. Thakur, the learned counsel appearing for the Applicant submitted that, after filing of affidavit of service, the Applicant has received the acknowledgment from the Postal Department duly acknowledged by the Respondent No.1. The Applicant is directed to submit the same in the Registry.

Despite service, none appears for the Respondent No.1.

3 For the reasons stated in the Application the delay caused in filing the Application is condoned, subject to condition that the Applicant shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the High Court Legal Aid Committee. The payment of costs is condition precedent for condonation of delay. Cost to be paid within a period of four weeks from today.

4 In view of above, the Application is allowed in terms of prayer clause (a), subject to condition of payment of costs as aforestated.

All the concerned to act on an authenticated copy of this order.

(A.S. GADKARI, J.)