

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.436 OF 2017

RAJENDRAKUMAR RAMNIWAS AGARWAL)...APPLICANT

V/s.

GHANSHYAM SAWARMAL AGARWAL& ORS.)...RESPONDENTS

Mr.Karan Bhosale a/w. Ms.Aditi Bhargava i/b. NDB Law,
Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 19th OCTOBER 2018

P.C. :

1 This is an application for condonation of delay of 34 days in preferring an application for leave to appeal for challenging judgment and order of acquittal of respondent/accused of offences punishable under Sections 498A and 306 of the Indian Penal Code.

2 Heard the learned counsel appearing for the applicant. None appeared for respondent nos.1 and 2, despite service, as per the report of the Registry dated 17th October 2018. The learned APP appears for respondent no.3/State.

3 Reasons for seeking condonation of delay of 134 days are reflected in paragraph 20A of the application. The averments made on affidavit in the instant application are not countered by filing counter affidavit. The reasons so stated constitute sufficient cause, and therefore, the order :

ORDER

- i) The application is allowed.
- ii) The delay in preferring the application for leave to appeal is condoned.
- iii) The application is accordingly disposed off.

(A. M. BADAR, J.)