

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.501 OF 2016

Janakalyan Co-operative Patasanstha Ltd.

Mahad Branch

(Through Loan disbursing officer)

Shri Sudhir Parshuram Mahadik

... **Applicant**

V/s.

Dilip Damodar Choule & anr.

... **Respondents**

Mr.Sachin H. Deokar for the applicant.

Mr.Laxman Bedekar for respondent no.1.

Mr.P.H. Gaikwad-Patil, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 12th SEPTEMBER, 2018.

P.C. :

1. This is an application for condonation of delay in preferring application for leave to appeal for challenging the judgment and order of acquittal in respect of offences punishable under Section 138 of Negotiable Instruments Act.

2. Heard both sides.

3. The learned Advocate appearing for respondent no.1 / original accused vehemently opposed the application by contending that ignorance of law is no excuse and delay is not properly explained by the applicant.

4. I have considered the submission so advanced. The application is for seeking condonation of delay in filing the leave application. What is sought to be challenged is acquittal of respondent no.1 for the offence punishable under Section 138 of Negotiable Instruments Act. The application is on affidavit. Paragraph 2 thereof contains the reasons for delay. Those in my opinion are sufficient to condone delay. Hence the order;

:: ORDER ::

(i) The delay in filing the application for leave to appeal is condoned.

(ii) The application is accordingly disposed of.

(A.M.BADAR J.)

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