

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

CRIMINAL APPLICATION NO.518 OF 2016

Mr. Nareshchand Nihalchand Sogani

... **Applicant**

V/s.

The State of Maharashtra & Anr.

... **Respondents**

Mr. Prakash S. Jain for the Applicant.

Mr. A.R. Kapdnis, APP for the Respondent State.

Mr. D.D. Ahire for Respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 22nd MARCH 2018

PC.:

1. This is an application for condonation of delay of 152 days in preferring the application for leave to file appeal.
2. Heard the learned counsel for the applicant and the learned counsel appearing for Respondent No.2. Perused the record.
3. The learned counsel for Respondent No.2 in opposition of the application submitted that, no probable cause for condonation of delay is made out and therefore, the application may be rejected.
4. However, for the reasons stated in the application, I am inclined to condone the delay subject to condition that, the applicant shall pay a

cost of Rs.1,000/- to the High Court Legal Aid Committee within a period of two weeks from today. The payment of cost shall be the condition precedent for condonation of delay.

5. In view of the above, the delay in preferring the application for leave to file appeal is condoned.

6. Application is allowed in terms of prayer clause (a) subject to payment of costs.

(A.S.GADKARI, J.)