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

CRIMINAL APPLICATION NO. 529 OF 2016

Bhimashankar Gurusiddhappa Dhanali

..Applicant

Vs

Madhav Ramchandra Ankam & Anr.

..Respondents

Mr.S.C. Mangle i/b Amar Bodul for applicant.

Mr. Ajit Alange for respondent No.1.

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

CORAM : A.S.GADKARI, J.

DATE : 2nd APRIL 2018.

P.C.:

1] This is an application for condonation of delay of 500 days in filing application for leave to file appeal.

2] Heard the learned Counsel 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 case for condonation of inordinate delay is made out by the applicant.

3] The record indicates that that the applicant is aged about 80 years and suffering from various age related ailments and therefore it caused delay in preferring the application for leave to file appeal against

the acquittal of the respondent No.1 for the offence punishable under Section 138 of the Negotiable Instruments Act.

4] In view of the above, I am inclined to condone the delay subject to condition that the applicant shall pay a cost of Rs.2000/- to the High Court Legal Aid Committee within a period of three weeks from today.

5] Application is allowed in terms of prayer clause (a), subject to aforesaid condition of payment of cost within the stipulated period.

(A.S.GADKARI, J.)