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

WRIT PETITION NO.3785 OF 2016

Surendra Madhukar Chougule	...Petitioner
Versus	
Vijay Balkrishna Pusalkar and Anr.	...Respondents

**WITH
WRIT PETITION NO.3786 OF 2016**

Surendra Madhukar Chougule	...Petitioner
Versus	
Sanjeev Arun Joshi and Anr.	...Respondents

Mr.U.R.Mankapure, for the Petitioner in both the petitions.

Mr.Manoj Mohite a/w Mr.Srikant Patil and Mr.Amit Singh, i/b Vivek Patil and Associates, for the Respondent No.1.

Mr.S.R.Shinde, A.P.P for the Respondent No.2-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 7th FEBRUARY, 2018

P.C. :

1. Heard learned counsel for the parties.

2. By these petitions, the petitioner has impugned the order dated 1st October, 2016, passed by the learned District Judge – 3 and Additional Sessions Judge, Sangli, below Exhibit 15 and Exhibit 12 in Criminal Revision Application No.21 of 2016 and Criminal Revision Application No.20 of 2016 respectively.

3. Learned Counsel for the petitioner submitted that the learned Judge had erred in condoning the delay caused in filing the Revision Applications. He submitted that the delay condonation applications were filed and delay was condoned, after the Revision Applications were filed.

4. Learned Counsel for the respondent no.1 in both the petitions opposed the petitions and submitted that no interference was warranted in the impugned order.

5. Perused the papers including the impugned order passed in both the petitions. On 15th September, 2015, the learned Magistrate was pleased to issue process as against the accused i.e. respondent no.1 in both the petitions, in Summary Criminal Case no.290 of 2015, for the alleged

offence punishable under Section 500 r/w 34 of the Indian Penal Code. The order of process was served alongwith summons on 25th September, 2015. The returnable date of process was on 26th November, 2015. On 26th November, 2015, the respondent No.1's advocate appeared and applied for certified copies of the complaint and the order of issue process. The certified copies were received by the respondent no.1 on 18th December, 2015. Pursuant thereto, the respondent no.1 in both the petitions filed separate Revision Applications in the Sessions Court alongwith application for Stay, on 25th January, 2016. The application for Stay was rejected on 3rd March, 2016, on the ground, that the Revision Applications were filed after the period of limitation. Pursuant thereto, the respondent no.1 filed applications seeking condonation of delay in filing the Revision Applications and the learned Sessions Judge was pleased to condone the delay on 1st October, 2016. It appears that there is delay of about 10 to 12 days in filing the aforesaid Revision Applications.

6. There is no infirmity or perversity in the order of the Sessions Judge, condoning the delay, warranting interference in writ jurisdiction.

7. Accordingly, both the petitions are dismissed.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.