

Sarnobat

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

**CRIMINAL APPLICATION NO. 524 OF 2017
IN
CRIMINAL REVISION APPLICATION (STAMP) NO. 558 OF 2017**

Shri Sudarshan Krishna Bhatt. .. Applicant.
Vs.
Mr. Sanjay Gupta & Anr. .. Respondents

Mr. Girish R. Agrawal, for the Applicant.
Mr. P. H. Gaikwad, APP for the Respondent/State.

CORAM : PRAKASH D. NAIK, J.

DATE : 25th JANUARY, 2018.

P. C. :

1. None appears for the respondent though served. This application is for condonation of delay for preferring the revision application challenging the judgment and order of conviction. The applicant is convicted for an offence under Section 138 of Negotiable Instruments Act vide judgment and order dated 27th April, 2015. The appeal preferred by the applicant was rejected on 12th April, 2016.

2. There has been delay of about one year 73 days in preferring the revision. It is submitted that the applicant had shifted his residence and therefore, could not communicate his advocate. It is further submitted that the applicant's mother was ailing and therefore, he could not approach the Court at the earliest. For the reasons stated

in the application, the delay is required to be condoned. Hence, I pass the following order;

ORDER

- (i) Criminal Application No. 524 of 2017 is allowed.
- (ii) The delay in preferring revision application stamp No.558 of 2017 is condoned.
- (iii) Leave to amend prayer clause (b) of this application. Amendment to be carried out forthwith.

[P. D. NAIK , J.]