

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.727 OF 2017

Rajkumar Baburam Gupta)...**Applicant**

V/s.

Rehamatullah M.S. Khan & Anr.)...**Respondents**

Mr. D.T. Tiwari i/b. R.M. Upadhyay, Advocate for the Applicant.

Mr. Omprakash Dubey for Respondent No.1.

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

CORAM : A.M.BADAR, J.

DATED : 5th OCTOBER 2018.

P.C. :

1. This is an application for condonation of delay in preferring an application for leave to appeal challenging acquittal of respondent no.1.

2. Heard both sides. Though the learned counsel appearing for respondent No.1 opposed the application by stating that despite knowledge of limitation, the application for leave to appeal

is delayed without sufficient cause, I am inclined to condone the delay of 21 days in preferring the application for leave to appeal as the averments made in the application constitute sufficient cause and such applications are required to be considered liberally.

Hence, the order;

- : ORDER : -

- i) The delay in filing the application for leave to appeal is condoned.
- ii) Application is accordingly disposed off.

(A.M.BADAR J.)