

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

CRIMINAL APPLICATION NO. 709 OF 2017

Amol Madhukar Dhavan.

..Applicant.

V/s.

Shamsundar Pundlik Parab & anr.

..Respondents.

Mr. G.H. Keluskar I/b. Mr. Sudhir Prabhu, advocate for applicant.

Mr. Kartik Garg, advocate for respondent.

Ms. Pallavi Dabholkar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JANUARY 17, 2019.

P. C. :

1 This is an application seeking condonation of delay in filing an application seeking leave to appeal challenging the Judgment and Order dated 18/8/2017 passed by JMFC, Kudal in Summary Criminal Case No. 148 of 2012. The delay is of 49 days. The learned Counsel Shri Kaushik for the respondent vehemently opposed the grant of condonation of delay on the ground that the applicant has not given plausible and reasonable explanation for condonation of delay and therefore, the application deserves to be dismissed.

2 The learned Counsel for the applicant submits that due to financial difficulties, he could not arrange for funds to engage a counsel

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and then he met the present advocate and instructed him to file application for leave to appeal. For the reasons assigned in paragraphs- 6, 7 and 8, the application deserves to be allowed in the interest of justice.

3 The application is allowed and disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]