**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 49 OF 2018**

Shaikh Shafik Ahmed @ Pappu ..Applicant
v/s.
Dadaji Dagadu Bhuse and Ors. ..Respondents

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Ms. Sukhman Rait I/by Mr. S.S. Patwardhan for the Applicant.
Mr. Ashutosh Gole I/by Mr. N.R. Bubna for the Respondent No. 1.
Ms. Pallavi Dabholkar, APP for the State.

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**CORAM : SMT. SADHANA S. JADHAV, J.**
**DATED : 13th MARCH 2019.**

**P.C.**

1. Leave to amend. Amendment to be carried out forthwith.

2. This is an application seeking condonation of delay for filing an application seeking leave to appeal for challenging the judgment and order dated 14th November, 2017 passed by Judicial Magistrate, First Class, Court No.1, Malegaon in Summary Criminal Case No. 147 of 2001 thereby acquitting the respondent nos. 1,2, and 3 from the offences punishable under Section 341 read with section 34 of Indian Penal Code. For the reasons assigned in Paragraph Nos. 2 and 3 of the application, the application deserves to be allowed in terms of prayer clause (a). In the interest of justice, delay is condoned.

3. The learned counsel for the Respondent No.1 vehemently opposes the grant of relief on the ground that the explanation given

in paragraph 2 is not plausible explanation. Be that as it may, delay deserves to be condoned in the interest of justice.

4. Application is allowed and stands disposed of.

**(SMT. SADHANA S. JADHAV, J)**