

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

**CRIMINAL APPLICATION NO. 64 OF 2017**

Umesh Bhaskar Kakad

.. Applicant

Versus

Ramdas Karbhari Salve & Anr.

.. Respondents

...

Mr. Tejas J. Kapre i/b. Adv. Pooja P. Joshi for the Applicant.

Mrs. M. H. Mhatre APP for the Respondent/State.

**CORAM: P. N. DESHMUKH, J.**

**DATED : 6<sup>th</sup> NOVEMBER, 2019.**

**PC:-**

1. None for respondent No. 1 though appears to be served.
2. Heard learned counsel for the applicant, learned counsel for the respondent No.2 and learned APP for the State.
3. Learned counsel for the applicant submitted that delay is caused due to earlier Advocate, who inspite of accepting brief

*Sonali Patil*

earlier, could not pursue the matter for some reason and accordingly applicant was suggested to appoint other Advocate. In that view of the matter and for the grounds mentioned in the paragraph 5 of the application, as delay is found satisfactorily explained and also considering the subject matter of the complaint filed by the applicant, where respondent No. 1 came to be acquitted by the learned Trial Court. Application is allowed in the interest of justice and is accordingly disposed of.

4. Office to register application for leave to file appeal and upon registration, Issue notice to the respondent No.1, returnable on 18<sup>th</sup> December, 2019. Learned APP waives service of notice for respondent No.2/State.

**(P. N. DESHMUKH, J.)**