

Urmila Ingale

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

**CRIMINAL APPLICATION NO. 318 OF 2019
IN
CRIMINAL APPLICATION STAMP NO. 60 OF 2019
(For Leave to File Appeal)**

Union Territory of Diu and Daman	.. Applicant
Vs.	
Nazim Shaikh s/o Budhan Shaikh and ors.	.. Respondents

Mr.H.S.Venegaonkar, for Applicant.

**CORAM : RANJIT MORE &
M. S. KARNIK, JJ.**

DATE : 13th NOVEMBER, 2019.

P. C. :

. This application is filed for condonation of 146 days delay occurred in filing the Criminal Application. On 06/03/2019, this Court issued notice to the respondents and made returnable on 09/04/2019. In addition to the court notice, private notice was also permitted. In pursuance of this order, the applicant has served respondents by private service. Affidavit to that effect is filed.

2. In paragraph 5, following averments are made by the applicant.

“5. The Applicant states that the Applicant is a Central Government Agency and therefore it is necessary for the said agency to take prior approval from the higher authorities. This process is necessary so as to file appeal only in deserving cases and not all acquittal are challenge.”

3. In our view, explanation given in paragraph 5 is sufficient to condone the delay of 146 days occurred in filing the above Criminal Application. Application is therefore allowed in terms of prayer clause (a).

4. Application is disposed of.

[M. S. KARNIK, J.]

[RANJIT MORE, J.]

Urmila
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