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

**CRIMINAL APPLICATION NO.159 OF 2018
IN
CRIMINAL REVISION APPLICATION (T) NO.148 OF 2018**

Rajendra Maganlal Mandvia ... Applicant
V/s.
Manoj Bhaichand Parekh and
anr ... Respondents

Mr. Harikrishna Mishra, i/by Law Global, for the
Applicant.
Mrs. Veera Shinde, APP for respondent State.

CORAM : N. J. JAMADAR, J.

DATE : 18th December, 2019.

PC. :

- 1] Heard the learned counsel for the applicant.
- 2] In pursuance of the order passed by this Court, on 11th October, 2018, the applicant has taken steps to serve respondent No.1, who is staying in U.K., by other modes of service. Affidavit of service is tendered. It is averred that respondent No.1 is served through courier. The documents evidencing delivery of the article to respondent No.1, are annexed to the affidavit. However, none appears for respondent No.1.
- 3] This application is for condonation of delay of 79 days in preferring the Revision Application against the order dated 18th August, 2017, passed

by the learned Additional Sessions Judge; whereby the Revision Application preferred by respondent No.1 herein came to be allowed and the order passed by the learned Magistrate, on 31st December, 2014, discharging the applicant of the offences punishable under Sections 420, 406, 409, 506 read with Section 120(B) of the Indian Penal Code, came to be set aside and the learned Magistrate was directed to proceed with the trial in case No.392/PW.2008. The applicant averred that on account of personal illness and that of his wife, the Revision Application could not be preferred within the stipulated period.

4] From the averments in the application, it appears that sufficient cause is made out for condonation of delay. Thus, to advance the cause of substantive justice, the application stands allowed.

5] The delay of 79 days in filing the Revision Application stands condoned.

6] Application stands disposed of accordingly.

[N. J. JAMADAR, J.]