

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

**CRIMINAL APPLICATION NO.178 OF 2018
IN
CRIMINAL APPEAL NO. OF 2018**

Mr. Amarjeet Singh Chhabra Applicant/
Ori Complainant

Vs.

Mrs. Sunita P. Chamoli Respondents
The State of Maharashtra

Mr. Suhas B. Rohile for the Applicant.
Mr. S.S. Pednekar, APP for the State.
Mr. Sandeep M. Phatak for respondent.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 16th January 2019

P.C.:

1 This is an application seeking condonation of delay in filing an application for leave to appeal challenging the judgment and order dated 12th May 2017 passed by the Judicial Magistrate First Class, Cantonment, Pune in Summary Criminal Case No. 2496 of 2013.

2 There is a delay of 244 days. Learned counsel for respondent-Mrs.Sunita has vehemently opposed the contondation of delay as according to the learned counsel, the delay has not been properly explained. However, taking into consideration the fact that the delay has been explained to the satisfaction of the Court.

3 For the reasons assigned in ground nos. (i), (ii), (iii) and (iv) of the application, the delay is condoned. It is also mentioned in ground no. (v) that there was no communication from the advocate, who was representing the original complainant and finally on 10th March 2018, the applicant had taken the search of the matter and had learnt that it was dismissed much earlier. It is in these circumstances and in the interest of justice, the application seeking condonation of delay deserves to be allowed. The application is allowed and accordingly stands disposed of.

(*Smt. Sadhana S. Jadhav, J*)