

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 268 OF 2017**

Shri Dilip Parshuram Deshmukh. ..Applicant.

V/s.

Shri Yashwant M. Kamble & ors. ..Respondents.

Mr. Akshay Pawar I/b. Mr. S.V. Munnawar, advocate for applicant.

Mr. Kiran Gandhi I/b. Little & Co., advocate for respondent Nos. 1, 3 and 4.

Ms. Darshana Kambli I/b. Mr. Prabhanjan Gujar, advocate for respondent No. 2.

Mr. S.R. Agarkar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : APRIL 25, 2019.

P. C. :

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is an application seeking condonation of delay in filing an application seeking leave to appeal, thereby challenging the Judgment and Order dated 1/12/2016 passed by the JMFC, Vashi, thereby acquitting the respondent under section 500 of the Indian Penal Code. The delay is of 83 days. For the reasons assigned in paragraphs- 3 to 5, the application seeking condonation of delay deserves to be allowed. Learned Counsel for the respondent vehemently submits that the delay has not been properly explained. However, the matter can be

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considered on merits. Hence, the delay of 83 days deserves to be condoned in the interest of justice. The application is allowed in terms of prayer clause (a) and disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]