

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [APPA] No.424 of 2019

*The State of Maharashtra, through Dy. Superintendent of Police,
Anti Corruption Bureau, Chandrapur*

vs.

Ku. Prathibha Dayaram Jambhulkar & others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

*Ms. T.H. Udeshi, A.P.P. for the Applicant/Appellant.
Shri A.K. Sorde, Advocate for Respondent Nos.2 to 4.*

CORAM : S.M. MODAK, J.
DATE : 6th DECEMBER, 2019.

Heard both sides.

There is a delay of 98 days in preferring an appeal. There is a judgment of acquittal by the Court of Sessions, Chandrapur, dated 03/09/2018. I have perused the circumstances and the grounds mentioned in the application, so also the reply of respondent Nos.2 to 4. They are the original accused persons. Respondent No.1 has expired during pendency of the trial. There was a trial for the offences under the Prevention of Corruption Act.

After reading the application, I find that the grounds mentioned therein are genuine and satisfactory. It is true that there is a great difference in filing an appeal by an accused and on behalf of the

State. There was so many compliances to be made if the State has to be preferred an appeal. Broadly three agencies are involved. One is the Office of the District Government Pleader, second is the Office of Joint Secretary, Law and Justice and third is the Office of Government Pleader of this Court. It is but natural that some time is being taken for complying this procedure. The delay is not for a long period. So, it needs to be condoned. Hence, the order.

The application is allowed. Delay in preferring an appeal is condoned. The appeal be registered and be listed for deciding whether to grant the leave or not.

Since learned Advocate Shri A.K. Sorde waives notice for respondent Nos.2 to 4, no fresh notice is required to be issued to them.

List this appeal after the compliance on 18th of December, 2019.

JUDGE

**sandesh*