

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1497 OF 2004**

Vrajlal Durlabhdas Waghela Appellant/Complainant
Vs.
Manogilal S. Kanojia and Anr. Respondents/Accused

None for appellant.
None for respondent no.1.
Ms. Anamika Malhotra, APP for State – respondent no.2.

**CORAM : K.R.SHRIRAM, J.
DATE : 4th MARCH 2020**

P.C.:

1 This is an appeal impugning an order and judgment dated 19th June 2004 passed by the Metropolitan Magistrate 30th Court, Kurla, Mumbai, acquitting accused of offence punishable under Section 341 (*Punishment for wrongful restraint*) and Section 506 (*Punishment for criminal intimidation*) of Indian Penal Code (IPC).

2 Complainant/appellant is not State. At the inception of the proceedings, complainant/appellant approached this Court with an application to grant special leave to prefer this appeal and only upon granting that, this appeal came on the records of this Court.

3 The offence charged also is not related to the society at large but only against particular person, i.e., complainant, who was inconvenienced because of the cloth bundles kept outside the shop of complainant and allegedly a dog was also kept by accused.

4 In the present case, the dispute between appellant and respondent no.1 is also of trivial nature. The alleged offence happened some

time in January 2002, more than 18 years ago. This period is enough to exhaust anybody mentally, physically and economically and thus, after lapse of such a long period, I see no reason why this Court should spend its judicial time on such a matter. Even the appeal was lodged in the year 2004.

5 In the circumstances, the leave granted stands revoked.

6 Appeal dismissed.

(K.R. SHRIRAM, J.)