

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 2038 OF 2018
IN
CRIMINAL APPEAL (ST.) NO. 1482/2018

Shree Ganapati Dev Ani

Pujechi Nemnuk Trust

.....**Applicant**

V/s.

The State of Maharashtra

and Ors.

....**Respondents**

* * * *

Mr. Ketan A. Dhavle, advocate for the applicant.

Mr. S.R. Agarkar, APP for State/Respondent no.1.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 3rd March, 2021.

P.C.:

1. Leave to amend. Applicant seeks leave to delete respondents no.2 to 14. Leave granted. Amendment to be carried out in the Application, as well as, in the Appeal Memo within a week from today.

2. Applicant is a Public Trust registered under the Bombay Public Trusts Act, 1950. Vide Misc. Application No. 1096/2015, Trust sought custody of the property produced before the Special Judge, MCOC, Raigad, Alibaug in Special

MCOOC Case No.1/2012. The learned Special Judge vide order dated 16th October, 2017 for the reasons stated in paragraphs-577 to 583, declined to return the property to the applicant. Aggrieved by the said order, Appeal is preferred by the Trust, under Section 454 of the Criminal Procedure Code, 1973, alongwith an application for condonation of 342 days delay caused therefor.

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

4. In view of the reasons stated in paragraphs-4, 5, 6, 9 and 11, in my view, the applicant has shown sufficient cause for condoning the delay.

5. Application is allowed in terms of prayer clause (a) and disposed of.

6. List the Appeal for admission on 8th March, 2021.

(SANDEEP K. SHINDE, J.)