

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**901 CRIMINAL APPLICATION NO.2309 OF 2019
IN REVNST/219/2019**

MOHAMMAD ANIS RASUL SHAIKH
VERSUS

SHAHINBEE W/O. MOHAMMAD ANIS SHAIKH AND ANR

...
Advocate for Applicant : Shri M.R.Wagh h/f.
Shri Prakash S. Paranjape

...
CORAM : M.G.SEWLIKAR, J.

DATE: 26th February, 2022

PER COURT:-

1. Heard.

2. Shri M.R.Wagh, learned counsel holding for Shri P.S.Paranjape, learned counsel for the applicant submits that delay was caused as the applicant was engaged in arranging funds. He submits that the applicant is a street vendor. He sales sarees. Therefore, he was not in a position to arrange the funds. He, therefore, seeks condonation of delay.

3. Notice was issued to respondent No.1. She did not cause her appearance. For the reasons given in the application, applicant has made out a sufficient cause for condoning delay. Delay of 91 days is caused in preferring revision. Respondents

can be compensated with costs. In this view of the matter, I am inclined to condone the delay. Hence, the order :-

ORDER

- (i) Delay of 91 days is condoned subject to depositing of costs of Rs.3,000/-.
- (ii) Deposit of costs is condition precedent.
- (iii) Costs amount be deposited within 15 days.
- (iv) On depositing the costs, the same be paid to the respondent-wife.
- (v) On depositing the costs amount, revision be registered.
- (vi) Criminal Application is disposed of.

(M.G.SEWLIKAR)
JUDGE

SPT