

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

CRIMINAL APPLICATION NO. 4123 OF 2019

Bhausahab Dadaji Deore

.. Applicant

Versus

Khatik Mahemood Akhtar

.. Respondent

Mr. Vinod Prakash Patil, Advocate for the Applicant.

CORAM : KISHORE C. SANT, J.

DATED : 16th DECEMBER, 2022.

P C. :-

1. This is an application seeking condonation of delay that is caused in filing criminal appeal challenging the judgment and order dated 07.06.2019 passed by 4th J.M.F.C., Jalgaon in S.C.C. No. 3540/2012. The respondent is already served and still not appeared before the Court.

2. Learned advocate for the applicant submits that, the delay is not deliberate, but is caused for the reasons stated in the application in paragraph No. 4.

3. Considering the fact that, the delay is only of 55 days and considering that, it is caused for the reasons stated in the application, this Court finds that, a case is made out to condone the delay. Hence,

the following order.

ORDER

- (I) The application is allowed.
- (II) The delay of 55 days caused in seeking leave to file an appeal against acquittal is condoned.
- (III) The application stands disposed off.

(KISHORE C. SANT, J.)

P.S.B.