

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***INTERIM APPLICATION NO. 719 OF 2021
IN
CRIMINAL APPEAL (STAMP) NO. 6282 OF 2020***

Jaiwanti w/o Sh. Roshan Lal & Ors. ...Applicants/Appellants
Versus
Competent Authority under MPID Act,
Mumbai & Ors. ...Respondents

Mr. Munish Kumar i/b Mr. Ninad Mazumdar for the
Applicants/Appellants

Mr. Avinash Avhad, Spl. P. P. for the Respondent Nos.1 & 2–State

Mr. S. Venkateshwar for the Respondent No. 4

Mr. Saurabh Mehra i/b Ms. Kranti S. Anand for the Respondent No. 5

P.I Mr. Anant Matkar from EOW is present

**CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
FRIDAY, 26th AUGUST 2022**

P.C. :

1 At the outset, learned counsel for the applicants/appellants

seeks leave to amend to delete the respondent No.3-Quiker Realty Ltd. from the array of respondents, since the respondent No. 3 is not a contesting respondent. Leave granted. Amendment be carried out forthwith.

2 By this application, the applicants/appellants seeks condonation of delay of 2 years and 268 days caused in filing the aforesaid appeal. The reason for filing this appeal belatedly is set-out in the application.

3 Learned Spl. P.P. for the respondent Nos. 1 and 2 submits that the applicants/appellants have no locus to file the aforesaid appeal and as such, a preliminary objection is raised with respect to the locus of the appellants.

4 For the reasons set out in the application, subject to the preliminary objection raised by the learned Spl. P. P. appearing for the respondent Nos. 1 and 2, we condone the delay of 2 years and 268

days caused in filing the aforesaid appeal.

5 We make it clear that the preliminary objection raised by the Spl. P.P. appearing on behalf of the respondent Nos. 1 and 2 is kept open, to be considered when the aforesaid appeal is heard.

6 Application is allowed and disposed of accordingly.

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.