

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

**INTERIM APPLICATION NO. 209 OF 2022
WITH
INTERIM APPLICATION NO. 210 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 32 OF 2021**

Aspi Merwan Irani
(Deceased by his Legal Heirs
Merwan Aspi Irani & Ors. ...Applicants

IN THE MATTER BETWEEN :-

Sanjay Rameshchandra Vyas ...Applicant
Versus
The State Of Maharashtra And Anr. ...Respondents

....

Mr. Jaideep Singh Khattar i/by the Fort Circle, Advocate for the
Applicant in Criminal Revision Application No.32 of 2021.

Mr. Gautam T. Kanchanpurkar, Advocate for the Applicants in both
Interim Applications.

Mr. A. D. Kamkhedkar, APP for the Respondent No.1 – State.

**CORAM : PRAKASH D. NAIK, J.
DATE : 9th JUNE, 2022.**

PER COURT:

1. Interim Application No.209 of 2020 is for condonation of delay in preferring Interim Application No.210 of 2022 seeking permission to bring the legal heirs of original complainant on record. The original accused have preferred Criminal Revision Application No.32 of 2021 challenging the judgment of conviction

passed by the trial Court for offence punishable under Section 138 of Negotiable Instruments Act, 1881, which was confirmed by the appellate Court.

2. The original complainant has expired on 11th March, 2020. Pursuant to the judgment passed by the appellate Court partly allowing the appeal.

3. Considering the fact that the applicants herein above are the legal heirs of the original complainant, who is expired, the application for bringing the legal heirs on record can be allowed.

4. In the interest of justice, delay in preferring such application is condoned.

5. Interim Application No.209 of 2022 and 210 of 2022 are disposed of accordingly.

6. Appropriate amendment may be carried out in the revision application. Amendment may be carried out within two weeks.

7. Stand over to 4th July, 2022.

(PRAKASH D. NAIK, J.)