

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

CRIMINAL WRIT PETITION NO. 6784 OF 2021

Hanumant Kashinath Patil	...Petitioner
Versus	
Ajay Sampat Kurade & Anr.	...Respondents

Mr. Deokar Pankaj Popatrao for the Petitioner

None for the Respondent No.1

Mr. A. D. Kamkhedkar, A.P.P for the Respondent No.2–State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 7th MARCH 2022

P.C. :

1 Heard learned counsel for the petitioner.

2 By this petition, the petitioner has impugned the order dated 19th June 2019 passed by the learned Judicial Magistrate First Class, Phaltan condoning 3 days' delay caused in filing Summary Criminal Case No. 656/2019 as against the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act. The learned Magistrate, after

perusing the application and the supporting affidavit has observed that the grounds for delay are justifiable and that no prejudice would be caused if the delay is condoned and as such has allowed the application being Application No. 167/2019 and condoned the delay of 3 days.

3 It appears that the respondent No.1/complainant had filed complaint at Pune instead of Phaltan, thereby causing a delay of 3 days. The reasons for delay have been set out in para 2 of the said application.

4 Considering the aforesaid, no interference is warranted in the impugned order dated 19th June 2019. Petition is accordingly dismissed.

REVATI MOHITE DERE, J.