

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

**Pursis Stamp No. 9 of 2021
in
Criminal Application (APPA) No. 210 of 2021
in
Criminal Appeal No.____ of 2021**

Naresh S/o Mahadeo Borkar
Versus
State of Maharashtra, through Police Station Officer, City Kotwali, Akola
and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Ritesh R. Dawda, Advocate for the Appellant.
Shri Sagar Ashirgade, APP for the respondent no.1.
Shri Sameer Sohoni, Advocate for the respondent no.4
and 5.
Shri Mahesh Rai, Advocate for the respondent no.6.
Shri S.A.Choudhari, Advocate for the respondent no.7.

**CORAM : ANIL S. KILOR, J.
DATED : 18th FEBRUARY, 2022.**

By this pursis, the applicant is praying for
deletion of name of respondent nos. 2, 3, 4 and 5.

2. Permission is granted to delete the name of
respondent nos. 2, 3, 4 and 5 at the risk of applicant.

3. Amendment be carried out within one week.

4. Pursis is allowed and disposed of.

Criminal Application (APPA) No. 210 of 2021.

This is an application for condonation of delay in filing the criminal appeal under Section 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection order dated 13th January, 2020 passed by the learned District and Sessions Judge, Akola in Misc. Criminal Application No. 155 of 2019.

2. Heard Shri Dawda, learned counsel for the appellant, Shri Ashirgade, learned Additional Public Prosecutor for State, Shri Mahesh Rai, learned counsel for the respondent no.6 and Shri Choudhary, learned counsel for the respondent no.7. None for the respondent no.8, though served.

3. Learned counsel for the applicant submits that earlier the writ petition was preferred against the impugned order. However, on realizing the mistake and realizing the fact that the appeal is provided against the impugned order, the present appeal is filed. However,

in filing the appeal, the delay has been caused. As such, he submits that there is a delay of 337 days.

4. Learned counsel for the respondent nos. 6 and 7 are opposing the present application, however, they are not disputing the fact that earlier the writ petition was filed.

5. In that view of the matter, the reasons stated in the application, the delay is condoned. The criminal application is allowed and disposed of.

6. Office is requested to register the appeal and place the same for 'Admission'.

[ANIL S. KILOR, J.]

SACHINDANAND
K NAIR

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