

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

**BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2132 OF 2022  
IN ALPST/5784/2022

KANHEYALAL RURAL NON AGIRCULTURAL CO OPERATIVE PATASANSTHA  
LTD. THR ITS MANAGER KAILASH GORAKH MORE  
VERSUS  
TAHER KHAN ALIYAR KHA PATHAN

...

Advocate for Applicant : Mr. Jeevant Patil h/f Mr. Badakh Vishal S.  
Advocate for Respondent : Mr. Deepak B. Rasve h/f Mr. Pawar Ajay D.

...

**CORAM : KISHORE C. SANT, J.**  
**DATE : 5<sup>th</sup> APRIL 2023.**

**Per Court :**

Heard for sometime.

1. This is an application seeking condonation of delay caused in filing criminal application seeking leave to file appeal against acquittal. The judgment of acquittal is dated 21.03.2022 passed by the learned Judicial Magistrate First Class, Sakri Dist. Dhule in S.C.C. No.83/2015, whereas this application is filed on 28.06.2022. It is stated in the application that after the judgment is passed, the parties were engaged

in the talks of settlement and therefore no application was filed immediately against the judgment and therefore there is some delay caused in filing application seeking leave to file appeal against acquittal.

2. 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 stands allowed.
- (ii) Delay of 37 days caused in filing application seeking leave to file appeal against acquittal, is condoned.
- (iii) Office to register the application (ALP).

[ KISHORE C. SANT, J.]

*Najeeb.*