

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

**CRIMINAL APPLICATION NO. 2338 OF 2022
IN ALPST/6410/2022**

Swaraj Plasto Industries
Through its Proprietor
Shri Ramesh Himmatrao Kawade .. Applicant

Versus

Maharashtra Shetkari Sugar Limited
and another .. Respondents

Mr. V. S. Sakhare, Advocate h/f Mr. S. A. Ambad, Advocate for the
Applicant.

Mr. A. D. Soman, Advocate for Respondent Nos. 1 and 2.

CORAM : KISHORE C. SANT, J.

DATED : 13th APRIL, 2023.

P. C. :-

. Heard learned advocate for the applicant and learned advocate
for respondents.

2. This is an application seeking condonation of delay that is caused
in filing criminal application seeking leave to file an appeal against
acquittal. The delay is of six (06) days. The reason assigned for the
delay is that the impugned judgment and order was passed on
09.05.2022 and the application was made for certified copies and the
same were ready on 10.06.2022. The applicant was out of station for

some time and therefore, the delay is caused.

3. Learned advocate for the respondents opposes the application stating that the delay is not specifically explained, even the reason for which the applicant was out of station was not clearly stated and prays for rejection of application.

4. This Court finds that, the delay is hardly of six (06) days and accepts that the delay is properly explained.

5. In view of this, the criminal application stands allowed.

6. Delay of six (06) days stands condoned.

7. Office to register criminal application seeking leave to file an appeal against acquittal.

8. The present criminal application is disposed off.

(KISHORE C. SANT, J.)

PS.B.