

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

**23 CRIMINAL APPLICATION NO.2865 OF 2022
IN ALPST/7858/2022**

**KHULESHWAR GRAMIN BIGAR SHETI SAHAKARI PAT.
MARYA. KASHTI, THR. RECOVERY OFF. BAPURAO YADAV
HARAL
VERSUS
VISHAL NARAYAN JADHAV AND ANOTHER**

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Advocate for Applicant : Ms. S A Nagode h/f R R Karpe
APP for Respondents: Mr. P M Kulkarni
Advocate for Respondents : Mr. Zambare Sudheer Ramdas

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CORAM : KISHORE C. SANT, J.
Dated: February 10, 2023

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PER COURT :-

1. Heard.
2. This is an application seeking condonation of delay of 24 days that is caused in filing the application seeking leave to file appeal. In the main application, the applicant has challenged the judgment and order passed by the learned Additional Chief Judicial Magistrate dated 23.5.2022 in SCC No.462 of 2016. Learned Court has acquitted the respondent from the offence punishable u/s 138 of the NI Act.
3. It is submitted that delay is not intentional or deliberate, but is for the reason that certain documents were required for
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filing the application and it took some time to collect those documents.

4. In view of the same and in view of the reasons assigned in paragraph no.2 delay deserves to be condoned. Hence, application is allowed. Office to register the ALP Criminal application is accordingly disposed off.

(KISHORE C. SANT, J.)

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