

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

940 CRIMINAL APPLICATION NO.3605 OF 2022
IN REVNST/10018/2022

AMOL RAJENDRA DAPKEKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Jamdar Kiran T.
APP for Respondent-State : Mr. Y. G. Gujrathi.

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CORAM : S. G. MEHARE, J.
DATE : 07.07.2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. Issue notice to the respondent. Learned APP waives service of notice for the respondent-State.
3. The applicants are challenging the framing of the charges dated 11.11.2021 by the learned Additional Sessions Judge-2, Kandhar, Link Court at Mukhed, District Nanded, in Special ACB Case No.11 of 2021. There was delay of 143 days in preferring the present criminal revision application.
4. Perused the reasons for the delay. Learned APP would submit that the reasons does not appear genuine. This may be an attempt to protract the trial. Hence, it may not be considered.

5. After having gone through the reasons for delay, the Court is satisfied that delay was not inordinate and deliberate. Therefore, liberal view may be taken. Hence, the following order :

ORDER

- (i) Criminal Application stands allowed.
- (ii) Delay in preferring the criminal revision application against the framing of charges dated 11.11.2021, by the learned Additional Sessions Judge-2, Kandhar, Link Court at Mukhed, District Nanded, in Special ACB Case No.11 of 2021 is condoned.
- (iii) The Registry is directed to register the criminal revision application as per the procedure.
- (iv) Learned APP waives service of notice for the respondent-State in criminal revision also.
- (v) List the matter after registration on circulation.

(S. G. MEHARE, J.)

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vmk/-