

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 582 OF 2020
IN
APPLICATION FOR LEAVE TO APPEAL (ST) NO. 67 OF 2020**

Kishore Dharamdas Ahuja ...Applicant
vs.
Chandru Ramchand Soneji and Anr. ...Respondents

Mr. Gautam T. Kanchanpurkar - Advocate for the Applicant
None for the Respondent
Mr. Y. Y. Dabke – APP for the State

CORAM : S. M. MODAK, J.

DATE : 14th FEBRUARY, 2023

P. C. :-

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1. In fact there is a delay of 15 days in preferring an appeal. My attention is invited to an order dated 03/01/2023. The Appellate Court has reversed the conviction predominantly for the reason that the complaint is filed at premature stage. In the order dated 03/01/2023, there is no reference that the delay condonation application is pending. That needs to be decided first.
2. The Respondent No. 1-accused is served and there is

appearance, today no one is present. The delay is properly explained in para no. 2. Hence Interim Application is allowed in terms of prayer clause 'a'. Accordingly, Interim Application is disposed of.

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3. Today no one is present for the Respondent No. 1.
4. Let Applicant be served copy of the application to the learned Advocate for the Respondent No. 1. If it is already served, learned Advocate for the Applicant to intimate about today's order to the Respondent's counsel.
5. Matter be kept on **14th March, 2023.**

[S. M. MODAK, J.]