

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

**INTERIM APPLICATION NO. 1173 OF 2023
IN
REVISION APPLICATION (ST) NO. 4735 OF 2023**

The State of Maharashtra ..Applicant.
Versus
Mangesh Tukaram Sawant ..Respondent

**WITH
INTERIM APPLICATION NO. 1934 OF 2023
IN
REVISION APPLICATION (ST) NO. 4735 OF 2023**

Mr. A. R. Patil, APP for State/Applicant.
Mr. Rizwan Merchant a/w. Sachin Mhatre a/w. Rochelle Fernandes
a/w. Ishita Kamath for Respondent.
Mr. Aabad Ponda, Sr. Advocate i/b. Abdul Kader Millwala for
Intervenor in IA/1934/2023.

**CORAM : SARANG V. KOTWAL, J.
DATE : 6 JUNE 2023**

PC :

1. This is an application for condonation of delay of 42 days in filing the revision application. The Applicant-State has filed the Criminal Revision Application challenging the order dated 20/10/2022 passed by learned Special Judge under MCOC Act, Court No.57, Greater Mumbai, in M.A./MCOC/No.1482 of 2022.

2. Heard Shri. Patil, learned APP for the State/applicant, Mr. Rizwan Merchant, learned counsel for the Respondent and Mr. Aabad Ponda, learned Senior counsel for the Intervenor in I.A.1934 of 2023.

3. It is mentioned in the application that, after the impugned order was passed, the learned Public Prosecutor, Greater Mumbai scrutinized the papers and submitted the proposal which was received on 06/01/2023. Thereafter, there was some procedural time required to assign the brief to the concerned Additional Public Prosecutor. After that, the draft was prepared and the application was filed. Therefore, there was 42 day's delay in filing the revision application.

4. Learned counsel for the Respondent No.1 opposed this application for condonation of delay. However, considering the grounds made out in the application and in the interest of justice, delay of 42 days in filing the criminal revision application is condoned.

5. The Criminal Revision Application be placed on board

for admission on 05/07/2023.

6. The Interim Application No.1173 of 2023 is disposed of.

(SARANG V. KOTWAL, J.)