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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.778 OF 2019
IN
CRIMINAL APPLICATION (STAMP) NO.227 OF 2019
WITH
CRIMINAL APPLICATION NO.779 OF 2019
IN
CRIMINAL APPLICATION (STAMP) NO.229 OF 2019**

Sudhakar Sunder Kotian ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Pranot P. Pawar with Mr Shashikant Chaudhari with Snehal Chaudhari, i/b Maharashtra Law Associates for the Applicant.
Mr. Y. Y. Dabke APP for Respondent No.1-State.
Mr. Prashant Trivedi with Ifran Khan i/b Sudha Dwivedi for Respondent No.2.

CORAM : S. M. MODAK, J.

DATED : 23RD FEBRUARY 2023

PC:-

1. Learned Advocate undertakes to file Vakalatnama for Respondent No.2-accused in both these matters.
2. These are two applications for condonation of delay of 17 days. There is request for adjournment on behalf of Respondent No.2. However, considering the limited issue, both Applications can be disposed of by condoning the delay.

3. The judgment of acquittal was delivered on 16/01/2009 by learned Metropolitan Magistrate, Andheri, Mumbai. Copy was applied on 22nd January 2019, and it was delivered on 8/02/2019. Due to financial constraint the Appeal could not be preferred in time. These are sufficient reasons. Hence both Applications are allowed in terms of prayer clause (a). Both Applications are disposed of.

CRIMINAL APPLICATION STAMP NOS.227/2019 and /229/2019

4. Both these Appeals are against judgment of acquittal for the offence punishable under section 138 of the NI Act. The Respondent-accused have already received notice of this special leave to Appeal. Fresh notice is dispensed. Learned advocate continued to appeal in appeals too.

5. Both Appeals be kept on **30th March 2023**.

(S. M. MODAK, J.)