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

INTERIM APPLICATION NO. 3052 OF 2022

IN

APPLICATION FOR LEAVE TO APPEAL (PVT.) (ST) NO. 11050 OF 2022

Chitranjan H. Gosalia

... Applicant

Versus

The State of Maharashtra and Anr.

... Respondents

Mr.Vatsal Gosalia i/b. Mr.Aditya Sharma, Advocate for Applicant.

Mr.Y.Y.Dabke, APP for the Respondent No.1 – State.

Mr.Aavil Ali M. Ali, Advocate for Respondent No.2.

CORAM : S. M. MODAK, J.

DATED : 6th JANUARY, 2023

P. C. :-

INTERIM APPLICATION NO. 3052 OF 2022

1. Heard learned Advocate for the respective parties.
2. Respondent-Accused is acquitted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (26 of 1881). Initially, the Complainant had filed an Appeal before City Civil Court and now, it is filed before this Court. There is a delay of two days'. There is opposition on behalf of the Respondent-Accused for the reason that delay is not properly explained and there are no supporting documents.
3. I have read the Application and more specifically Para No.3. The reasons are convincing.
4. Hence, delay is condoned. Application is disposed of accordingly.

APPLICATION FOR LEAVE TO APPEAL (PVT.) (ST) NO. 11050 OF 2022

5. Special leave is sought. Issue notice to Respondent No.2. Learned Advocate waives notice for Respondent No.2.
6. Matter be kept on 3rd February, 2023 on the point of grant of Special leave.

(S. M. MODAK, J.)