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

**INTERIM APPLICATION NO.3655 OF 2022
IN
APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.210 OF 2022**

Manish Jugraj Jain ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

Mr. Anand Mishra i/by Mr. A. M. Saraogi, Advocate for the
Applicant.
Mr. H. J. Dedhia – APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 30TH JUNE 2023

P. C. :

INTERIM APPLICATION NO.3655 OF 2022

1. Heard learned Advocate for the Applicant-Complainant. Notice is served on Respondent No.2 through his wife. Whereas, private notice issued through RPAD is served on Respondent No.2-accused. Service affidavit is filed. Track consignment report is there.
2. The Respondent No.2 has not appeared. For the Reasons stated in Para Nos. 2 and 3 of the Interim application, the application for condonation of delay is allowed in terms of prayer Clause (a).

3. Interim application is disposed of.

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.210 OF 2022

4. The complainant intends to prefer an Appeal against the judgment of acquittal and leave is sought. Let notice be issued to Respondent No.2 as two why leave should not be granted returnable on 04th August, 2023. Additionally, private notice is allowed and service affidavit be filed before the next date.

5. Matter be kept on **4th August, 2023.**

[S. M. MODAK, J.]