

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3573 OF 2022****IN****CRIMINAL APPEAL (ST) NO. 17465 OF 2022**

Audumbar Patil

... Applicant

V/s.

The State of Maharashtra And Anr.

... Respondents

Mr. Harshad Sathe a/w Ms. Shagufa Patel i/b Mr. Harshad Bhadbhade for Applicant.

Mr. Ajay Patil APP for Respondent No.1-State.

Mr. Anil Shitole for Respondent No.2.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 11th JANUARY, 2023.

PC. :

1. This is an Application for condonation of delay of 44 days in preferring substantive Appeal against impugned Order.
2. Advocate Mr. Shitole waives notice for and on behalf of Respondent No.2-Informant and submitted that, no proper explanation for condonation of delay has been offered by Applicant and therefore delay may not be condoned. He submitted that, however if this Court is inclined to condone the delay, cost may be imposed on Applicant.
3. Perusal of Application would indicate that, sufficient cause is made out for condonation of delay.
4. In view thereof, delay is condoned and Application is allowed in terms of prayer clause "a".

(PRAKASH D. NAIK, J.)**(A.S. GADKARI, J.)**