



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

50 CRIMINAL APPLICATION NO. 1733 OF 2024
IN REVNST/4652/2024

SHAH JAVED WAHED
VERSUS
VIMAL ASHOK MUNDHE AND ANOTHER

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Advocate for Applicant : Mr. Shaikh Ashraf Patel.
APP for Respondent/State : Mrs. M. N. Ghanekar.
Advocate for Respondent No.1 : Mr. A. S. Avhad h/f Mr. Kedar
Shrimant Ravsaheb.

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CORAM : S. G. MEHARE, J.
DATE : 12.08.2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for the contesting respondent.
2. Learned counsel for the applicant contends that the delay caused in preferring the revision was bonafide. The short delay of 42 days has been caused. The applicant has a good case on merit. Both Courts did not consider the defence correctly. Hence, delay may be condoned.
3. The learned counsel for the contesting respondent strongly opposed the application. He submits that the applicant has no case on merits. The reasons for causing the delay are also not genuine.

4. Perused the application. There appears grounds to condone the delay. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The delay of 42 days caused in preferring the revision application is condoned.
- (iii) Office is directed to register the criminal revision application.
- (iv) Learned counsel Mr. Kedar waives service of notice for respondent No.1.
- (v) Call R and P
- (vi) The order granting interim bail to continue till the next date.
- (vii) The learned counsel for the applicant may file an affidavit-in-reply to the application for suspension of sentence, if he desires.
- (viii) Stand over to 05.09.2024.

(S. G. MEHARE, J.)

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vmk/-