



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

47 CRIMINAL APPLICATION NO. 3706 OF 2023
IN REVNST/10276/2023

OSMANABAD DISTRICT CENTRAL CO-OP BANK LTD.,
OSMANABAD THROUGH VIJAY SHANKARRAO GHONSE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Ghatol Patil Shahaji B.
APP for Respondent/s-State : Mr. S. B. Pulkundwar.
Advocate for Respondent No.2 : Mr. Kotkar Sanjay D.
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CORAM : S. G. MEHARE, J.
DATE : 12.08.2024

PER COURT :-

1. Heard the respective learned counsels.
2. The learned Trial Court has acquitted the respondent/accused. Against the said acquittal, the State has preferred the appeal. It was also dismissed. The applicants have the explanation that since they were not aware of the impugned judgments and orders, the delay has been caused. After getting the knowledge, they applied for certified copies and approached this Court. Due to no knowledge of the impugned order, delay of 287 days have been caused. The application is bonafide. They have good chances of success in criminal revision application. Hence, delay may be condoned.

3. Learned counsel for the accused has strongly opposed the application. He would submit that the delay has not been properly explained and there are two judgments of acquittal. Hence, there is no substance in the revision application. Therefore, the delay could not be condoned.

4. Perused the application. There appears reasons for delay. Normally, the complainant not made aware of the judgments in the State case. Therefore, possibility of knowing about the impugned judgments immediately cannot be ruled out. The reasons for delay appears genuine and bonafide. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) Delay caused in preferring the revision application stands condoned.
- (iii) Office to register the criminal revision application according to law.
- (iv) Learned APP waives the service of notice for respondent/State.
- (v) Learned counsel Mr. Kotkar waives service of notice for respondent No.2.

(vi) Stand over to 18.09.2024.

(S. G. MEHARE, J.)

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vmk/-