

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4009 OF 2023
IN
REVISION APPLICATION (ST) NO. 18850 OF 2023

Simiyon Balakrishnan Raj	...Applicant
<i>Versus</i>	
State of Maharashtra & Anr	...Respondents

Mr Umar Kazi (VC), with Sonia S, for the Petitioner.
Mr Balraj Kulkarni, APP, for the Respondent-State.
Ms Siddhi Bhosale, for Respondent No.2.
Mr Niteen Belge, PSI, Ambarnath Police Station present.

CORAM N.R. Borkar, J.
DATED: 30th April 2024

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RAMCHANDRA
SANKPAL

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PC:-

1. This is an Application for condonation of delay. The Applicant has filed Revision Application against the order dated 30th June 2022 passed by the learned Special Judge in Special Case No. 150 of 2018. By the said order the learned Special Judge rejected the Application filed by the present Applicant who is the accused in the said special case, for discharge.

2. I have heard learned Counsel for the Applicant, learned APP for State and learned Counsel for Respondent No.2.

3. The learned Counsel for the Applicant submits that during the relevant period father of the Applicant was not well. It is submitted that thus this Revision Application could not be filed within a period of limitation.

4. On the other hand the learned APP and the learned Counsel for the Respondent No.2 submits that the Applicant has not produced on record the documents in support of reasons assigned by him in his application for condonation of delay. It is submitted that Application may be rejected.

5. There is a delay of 300 days. Though there appears to be some negligence on the part of Applicant, however, in the interest of justice, I am inclined to allow the present Application.

6. The Application is allowed. The delay in filing the Revision Application is condoned.

(N. R. Borkar, J)