

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

**INTERIM APPLICATION NO. 1086 OF 2024
IN
APPLICATION FOR LEAVE TO APPEAL NO. 2191 OF 2023**

Nilesh Laxman Pavadmal ... Applicant
Versus
Satyajee Vaman Bhagat & Anr. ... Respondents

**WITH
INTERIM APPLICATION NO. 4713 OF 2023
(NOT ON BOARD. TAKEN ON BOARD.)
IN
APPLICATION FOR LEAVE TO APPEAL (ST.) NO. 23566 OF 2023**

Nilesh Laxman Pavadmal ... Applicant
Versus
Priyanka Satyajee Bhagat & Anr. ... Respondents

Mr. Irfan A. Shaikh for the Applicant.
Mr. R. M. Pethe, APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 12th JULY 2024**

P.C. :

. The learned counsel for the applicant informs this Court that another application is filed by the applicant in similar circumstances, the only difference being that in the said application respondent No.1 is the wife of the present respondent No.1, as the husband and wife had issued cheques that were dishonoured, leading to the applicant lodging complaints under Section 138 of the Negotiable Instruments Act, 1881.

2. In that view of the matter, the Interim Application No. 4713 of 2023 is taken on board, along with the present application.

3. In both these applications, the applicant is seeking condonation of delay of one day in filing the accompanying applications for leave to appeal. It is specifically stated that both the applications were filed on re-opening day, but the process of scanning of the documents for e-filing took some time and by the time, the applications for leave to appeal were e-filed at 5:14 p.m., the time for e-filing was already over.

4. Considering the explanation given in the applications, this Court is satisfied that delay of one day deserves to be condoned.

5. Accordingly, the applications are allowed and the delay is condoned.

6. Heard the learned counsel for the applicant in the two applications seeking leave to appeal.

7. Issue notice to respondents, returnable on 9th August 2024 (High on Board).

8. The applicant is additionally permitted to serve the respondents by way of private service and to file an affidavit of service.

MANISH PITALE, J.