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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 481 OF 2024
IN
Cr. Revision Appln.(ST) NO. 2114 OF 2024

Abdul Rab Khan ...Applicant
Versus
1. The State Of Maharashtra & Anr. ...Respondents

WITH
CRI-INTERIM APPLICATION NO. 482 OF 2024
IN
Cr. Revision Appln.(ST) NO. 2238 OF 2024

Nafisa Abdul Rab Khan ...Applicant
Versus
The State Of Maharashtra & Anr. ...Respondents

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Mr.Nilesh S. Kumbhar for the Applicant in IA Nos.481 of 2024 and 482 of 2024.

Mr.M.G. Patil A.PP. for the Respondent No.3 – State.

Mr.Y.Y. Dabke, APP for the Respondent No.4 – State.

Adv.Rimpal Trivedi for Respondent No.2 in IA Nos.481 of 2024 and 482 of 2024.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 28th JUNE 2024

P.C.:

1. Interim Application No.481 of 2024 and Interim

Application No.482 of 2024 seek condonation of delay of 220 days respectively in filing the Revision Applications challenging the order both dated 21.2.2023, rejecting the applications of both the applicants for discharge under Section 227 of Code Criminal Procedure. The reasons for the delay is absence of knowledge due to non- communication by the counsel and ill-health of the applicants. Though the application is vehemently opposed by the non-applicant no.2, however, considering the quantum, accepting the reason given and the position that an opportunity to argue the case on merit has to be afforded and in the light of the principles as enumerated in *Esha Bhattarjee vs. Managing Committee of Raghunathpur, Nafar Academy & Ors.*, reported in *2013 (12) SCC 649*, the delay is condoned.

2. Office to register the Revision. Ms. Trivedi appears for non-applicant no.2, learned APP appears for respondent no.1 on merits in the Revision and list the same for final disposal at the admission stage on 5.7.2024.

(AVINASH G. GHAROTE, J.)