

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 574 OF 2024
IN
CRIMINAL REVISION APPLICATION (ST) NO. 2111 OF 2024

Rakesh Alias Balasaheb Shantilal Tated ...Applicant

vs.

The State of Maharashtra and Ors. ...Respondents

Mr.Abhijeet Kulkarni a/w Mr.Chinmay Patil:-	Advocates for Applicant.
Mr.H.J.Dedhia:-	APP for Respondent No.1 -State.

CORAM : S. M. MODAK, J.
DATE : 23rd APRIL 2024

P. C. :-

1. Heard learned Advocate for the Applicant – First Informant and learned APP.
2. Service of Court notice on delay condonation Application is awaited. However, private service is effected. Affidavit is there.
3. The delay is for 6 years and 270 days. One more opportunity needs to be given to the Respondents to contest the delay condonation Application.

4. However, tomorrow the date is fixed before the trial Court for recording of evidence of the First-Informant. The Sessions Court discharged the Respondents for the offence under Section 307 of Indian Penal Code, 1860 ("IPC") and that is why, the case is transferred to the Court of JMFC. So, some interim orders need to be passed in favour of the Applicant. Hence, order:-

ORDER

- (i) The Applicant – First Informant is permitted to serve the Respondents – Accused when they will appear before the Court of JMFC – Barshi – Solapur tomorrow.
- (ii) They can request the trial Court for asking the Respondents to take a notice of delay condonation and Revision Application.
- (iii) Let this matter be kept on 19th June 2024. Till that time, let the trial Court to defer the hearing of the case.
- (iv) The Applicant to file an Affidavit about service on Respondents in the manner suggested above.

[S. M. MODAK, J.]