



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.119 OF 2024
IN
CRIMINAL APPEAL ST NO.674 OF 2024

XYZ (COMPLAINANT)

VS

RAJESHKUMAR BHAGWATI SONI AND ANOTHER

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Anvita Pande, Advocate for the applicant/s
Mr. Badar, A.P.P. for the non-applicant No.2/State

CORAM : SMT. VIBHA KANKANWADI
& MRS. VRUSHALI V. JOSHI, JJ.

DATE : 05.07.2024.

1. The non-applicant No.1 is absent.
2. Heard the learned Advocate for the applicant and the learned APP for the non-applicant No.2.
3. The present application has been filed seeking condonation of delay of 99 days in preferring the appeal against acquittal. The present applicant is the original victim/informant. Though it appears that it is stated that she wants to approach this Court under Section 378(4) of the CrPC, it should be under Section 372 Proviso, which gives absolute rights to the victim to challenge acquittal.
4. For the reasons stated in the application, the delay stands condoned and the application stands **disposed of**.

5. The Registry to verify and register the appeal to be under Section 372 Proviso of CrPC.

6. The learned Advocate for the applicant to provide copies of the depositions of six witnesses, FIR and Medical Report on the next date and the copies of the same be given to the other side in advance.

7. If it is convenient, the matter would be heard for Admission on **06.08.2024**.

[MRS. VRUSHALI V. JOSHI, J]

[SMT. VIBHA KANKANWADI, J]