



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 05 OF 2025
IN
CRIMINAL APPEAL NO. 1066 OF 2024**

Wazed Zahiroodin S/o Fayazoddin
Inamdar and another .. Applicants

Versus

The State of Maharashtra and another .. Respondents

Shri J. N. Singh, Advocate for the Applicants.
Mrs. Ashlesh S. Deshmukh, A.P.P. for the Respondent No. 1.
Shri Subhash S. Nade, Advocate for the Respondent No. 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 02nd APRIL, 2025.**

FINAL ORDER :

. This application is for condonation of delay of 114 days in presenting criminal appeal against order dated 05.06.2024 passed below Exhibit 11 in Special Case No. 69 of 2018.

2. The applicant was prosecuting wrong remedy that is Criminal Writ Petition No. 1475 of 2024. It was withdrawn with liberty to file appeal and order to that effect was passed on 05.12.2024. Thereafter, present appeal is filed.

3. I have gone through the grounds mentioned in para Nos. 14 and 15 of the application. I do not find that there are any

malafides in prosecuting wrong remedy or causing delay in presentation of appeal deliberately. In view of those averments a case is made out to condone the delay of 114 days. The criminal application is allowed in terms of prayer clause 'B' on condition that the applicant shall deposit cost of Rs. 2,000/- in the account of High Court Advocates Bar Association, Aurangabad to be utilized for the Day Care Centre. The criminal application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 25