

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

**INTERIM APPLICATION NO.696 OF 2024
IN
CRIMINAL APPEAL NO.825 OF 2022**

Sarika Akshay Ranade	... Applicant
<u>In the matter between</u>	
Sarika Akshay Ranade	... Appellant
V/s.	
Akshay Arun Ranade & Ors.	... Respondents

Mr. Shubhankar Kulkarni i/by Chaitanya Nikte for the Applicant.
Mr. Omkar S. Paranjape, Sunil G. Paranjape (through VC) for Respondent No.1.
Ms. S. K. Gajare-Dhumal, APP for the Respondent-State.

Digitally
signed by
MUGDHA
MANOJ
PARANJAPE
Date:
2025.09.04
18:53:19
+0530

CORAM : N.R. BORKAR, J.
DATE : 04TH SEPTEMBER 2025

PC. :

1. This is an Application for condonation of delay in filing Appeal.
2. By the order dated 04th August 2022 this Court permitted the Appellant to convert the Revision Application into the Appeal. The order passed by this Court reads thus:

- “1. The applicant is the original complainant. The FIR was lodged by applicant for offences punishable under Sections 323, 354 of the Indian Penal Code.*
- 2. The respondent Nos. 1 and 2 were convicted by trial Court for the aforesaid offences. The judgment of conviction was challenged by the accused before the Sessions Court by preferring appeal which has been allowed and the respondents are acquitted.*

3. *The applicant(complainant) had preferred this revision application challenging judgment of acquittal.*
4. *The learned Advocate for respondents has urged preliminary objection that the revision application is not maintainable, since the applicant has remedy of preferring appeal under Section 372 of Cr.PC.*
5. *Learned advocate for the applicant seeks permission to convert this revision application into appeal under Section 372 of Cr.PC.*
6. *The request for conversion of the revision application into appeal is objected by the learned advocate for respondent. It is submitted that the revision itself is not maintainable. The request for converting it into appeal is made on preliminary objection by respondents.*
7. *Section 372 of Cr.PC. provides an appeal for the victim. In the present case remedy of appeal under the said provision is available to the applicant.*
8. *Considering the aforesaid circumstances, the applicant can be permitted to convert this revision application into an appeal. Appropriate amendment may be carried out within two weeks. On converting this application into appeal under Section 372 of Cr.PC., the matter may be placed before appropriate Court. The fact that the applicant had bonafide resorted to wrong remedy by preferring revision application could be taken into consideration in the event question of delay in preferring the appeal under Section 372 of Cr.PC. arises.”*

3. The Learned Counsel for the Applicant submits that the Applicant has filed the present Application by way of abundant caution to avoid any objection in relation to limitation.

4. Considering the fact that this Court has already allowed the Appellant to convert the Revision into Appeal, the delay if any in filing the Appeal is condoned.

5. The Interim Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)