

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2469 of 2024
IN
CRIMINAL APPLICATION (ALS) (ST.) NO.11710 OF 2024

The State of Maharashtra

...Applicant

Versus

Balu Gajanan Dhanvate & Anr.

...Respondents

Ms. Kranti T. Hivrale, APP for the Applicant-State.

Mr. Abhijeet Khande i/by Mr. Satyajeet P. Dighe, for Respondent No.1 in IA/2469/2024 & for Respondent No.2 in Appeal/234/2024.

Mr. Nikhil M. Pujari i/by Ms. Rukmini Khairnar, for Respondent No.2 in IA/2469/2024 & for Appellant in Appeal/234/2024.

CORAM : SUMAN SHYAM &

SHYAM C. CHANDAK, JJ.

DATED : 30th JULY, 2025

P.C. :-

1. Heard Ms. Hivrale, learned APP appearing for the Applicant/State & Mr. Khande, learned Counsel for the Respondent No.1 & Mr. Pujari, learned Counsel for the Respondent No.2.

2. Interim Application No.2469 of 2024 has been filed under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 46 days in filing the Appeal by the State against the Judgment and Order of acquittal.

3. We have perused the explanation furnished in the Application explaining the delay.

4. Learned Counsel for the Respondents has opposed the prayer by contending that no proper explanation for the delay has been furnished in the Application.
5. After hearing the arguments addressed to the Court and upon going through the record, we are of the opinion that the Applicant has succeeded in furnishing sufficient explanation for the delay.
6. As such, the delay of 46 days in filing the Appeal is hereby condoned.
7. Appeal be registered.
8. Interim Application stands disposed of.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)