

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

**INTERIM APPLICATION NO. 282 OF 2025
AND
APPLICATION FOR LEAVE TO APPEAL (STATE)
NO. 52 OF 2025**

The State of Maharashtra ...Applicant

V/s.

Shubham Mohan Jadhav ...Respondent

Ms. Sangita Shinde, APP for the Applicant-State.

CORAM : N.R. BORKAR, J.

DATE : 09.07.2025.

P.C. :

1. This is an application for condonation of delay in filing appeal by the State against the judgment and order dated 18.05.2024 passed by the Judicial Magistrate First Class, Panhala, in Summary Criminal Case No. 378 of 2021, by which the trial Court has acquitted the respondent-accused for the offences punishable under Sections 279, 337 and 338 of the Indian Penal Code and Sections 184, 3(1), 181, 146 read with 196 of the Motor Vehicle Act, 1988.

2. The prosecution case in brief is as follows:

On the date of incident which took place on 21.01.2021, at about 09:30 pm., the accused was riding his motorcycle bearing No. MH-09-CF-3456 in a rash and negligent manner. Upon reaching Rakshi Fata near Sona Textile Powerloom, the accused dashed into the motorcycle bearing No. MH-09-EP-7649 and caused grievous hurt to Taufiq Mulla and Manoj Kamble who were riding the said motorcycle.

3. The learned APP for the State submits that the trial Court has ignored the evidence of the injured witnesses and wrongly arrived at the conclusion that there was no negligence on the part of the respondent-accused.

4. I have perused the impugned judgment and order. The trial Court has recorded findings that at the place of incident there was sharp turn and there is no evidence that the respondent-accused was driving the vehicle in a rash and negligent manner.

The said finding is not shown to be perverse. Thus, there is no point in issuing notice to the respondent-accused on this application for condonation of delay, as there is no substance in the appeal. The appeal is dismissed. The Interim Application stands disposed of.

[N.R.BORKAR, J.]