



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

CRIMINAL APPLICATION [APPA] NO. 393 OF 2024

in

CRIMINAL APPEAL ST. NO. 3084 OF 2024

SHEKHAR S/o PURUSHOTTAM KANNAO

VERSUS

STATE OF MAH., THRU. P.S.O, P.S., KARANJA, TAH. KARAJNA, DIST. WASHIM AND ANR.

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

Court's or Judge's Order

Mr. R. M. Pande, Advocate for the applicant.
Mr. Abhjeet Mate, A.P.P. for the non-applicant no.1/State.
Mr. Pratik M. Jain, Advocate for non-applicant no.2

CORAM : G. A. SANAP, J.

DATE : JANUARY 15, 2025.

1. Heard learned advocate for the applicant, learned Additional Public Prosecutor for non-applicant no.1/ State and learned advocate non-applicant no.2.
2. This is an application for condonation of delay of 67 days caused in filing appeal against the judgment and order dated 07.10.2023 passed by learned Judicial Magistrate, First Class, Karanja Lad, Dist.Washim, whereby the accused in the case were acquitted of the Charge under Sections 52, 53 and 54 of the Maharashtra Regional and Town Planning Act, 1966.
3. Learned Additional Public Prosecutor for respondent no.1/State and learned advocate for respondent no.2 submit that this application itself is not maintainable inasmuch as the applicant was accused no.1 in the criminal case and he was acquitted.

4. In my view, the applicant, who was accused no.1 in the case, cannot challenge the order of his acquittal as well as acquittal of the remaining accused. The applicant was not the informant. The informant was the Engineer of Municipal Council, Karanja (Lad). It is submitted by the learned advocate for the applicant that he is the owner of the property. His contention was not accepted by the learned Magistrate. In view of this, I do not see any substance in the application as well as in the appeal.
5. The application for condonation of delay as well as the appeal, are not maintainable.
6. The criminal application is, therefore, dismissed. Consequently, the Criminal Appeal also stand disposed of.

(G. A. SANAP, J.)

Diwale