

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO.978 OF 2024
IN
CRIMINAL APPLICATION (ALP) (ST) NO.15098 OF 2023

Kumar Gaurav ... Applicant
Versus
Vishnukant R. Upadhyay & ors. ... Respondents

Adv. Manoj Khatri a/w. Ms. Kavya Banerjee for Applicant.
Adv. Prabhat Dubey & Adv. Nikita Pandey for the Respondent No. 1
Mr. Tanveer G. Khan, APP for the Respondent-State

CORAM : M. M. SATHAYE, J.

DATED : 4th MAY 2026

P.C.:

1. Heard learned Counsel for the parties. This is an Application for condonation of 11 days delay in filing the application seeking leave to file Appeal.
2. The Applicant has stated in the Application that at the relevant time when the limitation period was ending, there was vacation and the concerned Advocate was not in town and also there was an incident in the family where Applicant's brother-in-law suffered from brain hemorrhage. Medical documents are placed on record in support of the submissions.
3. Learned Counsel for the Respondent No. 1 opposes the delay contending that sufficient cause is not made out.
4. Considering the extent of delay and averments in the application, sufficient cause is made out. **The Application is allowed. Delay is condoned.**
5. Place the ALP(ST)/15098/2023 on 15.06.2026.

(M. M. SATHAYE, J.)