

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR**

CRIMINAL APPLICATION NO. 199/1998

The State of Maharashtra Vs. Shailendra Vishwanath Gupta

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

CORAM : S.R.DONGAONKAR, J

DATED : 31st MARCH, 2008.

Heard Shri Fulzele, A.P.P. for applicant
State and Shri M.B.Naidu, Advocate, for
respondent.

Learned counsel for respondent has
opposed this application saying that the delay is
not satisfactorily explained.

On perusal of the application, it
appears that time was taken for taking opinion as
to whether the appeal should be preferred or not.

The appeal is against the acquittal,
resulting out of compromise between the parties.

The matter was debatable. Hence,
delay in forming opinion as to whether appeal
should be preferred or not is justified.

In the circumstances, this application is
allowed. The same stands disposed of.

List the application for special leave to
file appeal filed by the appellant as well as the
appeal for admission on 28/4/2008.

JUDGE

Rvj.