

(2012) 09 GUJ CK 0075

In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 4551 of 2012 in Criminal Appeal No. 412 of 2012

State of Gujarat

APPELLANT

Vs

Harising Shanabhai Vasava

RESPONDENT

Date of Decision : 20-09-2012

Acts Referred:

Limitation Act, 1963 — Section 5

Citation : (2012) 09 GUJ CK 0075

Hon'ble Judges : M. R. Shah, J

Bench : Single Bench

Advocate : L.B. Dabhi, app, for the Appellant;

Final Decision : Allowed

Judgement

Honourable Mr. Justice M.R. Shah

1. The present application u/s 5 of the Limitation Act has been preferred by the applicant-State to condone the delay of 6 days in preferring the Criminal Appeal for enhancing of the sentence imposed by the learned Special Court while convicting the respondent-original accused for the offence under the Prevention of Corruption Act. Having heard Shri L.B. Dabhi, learned APP appearing on behalf of the applicant-State and Shri Arpit Kapadia, learned advocate appearing on behalf of the respondent-original accused and considering the averments made in the application in support of the prayer to condone the delay and as sufficient cause has been shown and even otherwise considering the fact that the respondent-original accused has also preferred Criminal Appeal No. 94/2012, which has been admitted, the present application is allowed and the delay caused in preferring the appeal is hereby condoned. Rule is made absolute accordingly.