

GJBN010012712026



Received : 12.03.2026

Registered on : 12.03.2026

Decided : 23.03.2026

Duration : Y. M. Ds.
00.00.11

**IN THE COURT OF 4TH ADDITIONAL SESSIONS JUDGE,
BHAVNAGAR.**

Criminal Misc.Application No.476 of 2026.

Ex.No.....

Jayeshbhai Bhupatbhai Bhojani,
Aged : 25 years, Occu : Driving,
Residing at : Shiv Samarth, Gauravpath, Pal Gam,
Surat.

...Applicant.

Versus

State of Gujarat,
Summons to be served through
The Public Prosecutor, Bhavnagar.

.....Opponent.

Sub : Delay Application Under Section 5 of the Limitation Act for the Criminal Revision Application of the order passed by Hon'ble 4th Addl.Judicial Magistrate First Class, Bhavnagar in Muddamal Application vide Bortalav Police Station, vide C.R.No.2015/2025 dated 15.11.2025.

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Learned advocate Mr.K.M.Makwana, for the applicant,
Learned APP Mr.S.S.Bhatt, for the opponent.
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:: JUDGMENT ::

1. The present application is preferred for condonation of delay of 25 days, in filing Criminal Revision Application.
2. Heard the learned advocate Mr.K.M.Makwana for the applicant and the learned APP Shri S.S.Bhatt for the opponent. Learned APP for the opponent has orally submitted that he has no objection if the application is granted as prayed for.
3. Since the present application is for condonation of delay looking to the period of delay of 25 days without touching any of the merits, at present applicant has to explain the satisfactory reasons for such delay.
4. The fact emerging from the record is that the present applicant preferred a Muddamal Application, before the learned JMFC, wherein the order was passed on dated 15.11.2025. Being aggrieved by the said judgment applicant wants to prefer Criminal Revision Application, where there is a delay of 25 days.
5. Looking to the submissions of both the sides and the facts of case, there is a meager delay of 25 days in filing the Criminal Revision Application. Learned advocate for the applicant has submitted that the applicant was engaged in hospital work and he cannot do any further process to file an application. Further he submitted that in the present case the applicant has to file revision within 90 days but he is unaware of judicial proceedings to file an application therefore, he could not file an

application within stipulated time. However, the delay of 25 days appears to be genuine.

6. It is pertinent to note that the Criminal Revision Application is to be decided in accordance with law, if maintainable, and as per the merits on record therefore, without adopting any hyper technical view, the present application can be allowed. Therefore, following order is passed.

:: ORDER ::

1. The present application is hereby allowed with no order as to cost.
2. The delay as mentioned in the application, in filing the Criminal Revision Application, is hereby condoned.
3. Criminal Revision Application be registered and numbered accordingly.

Pronounced in the open Court on this 23rd day of March, 2026.

Date: 29.08.2025

Place: Bhavnagar

(JIGNESH GIRISHBHAI DAMODRA)

4th Additional Sessions Judge,

Bhavnagar.

Unique ID Code No.GJ00996

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