

GJSK180002612026



**IN THE COURT OF 3RD ADDITIONAL SESSIONS
JUDGE, SABARKANTHA AT IDAR.**

Criminal Misc. Application No.121 of 2026.
Ex.No.: 4.

Karansinh Rajusinh Zala

Aged about : 40 years

Resi. at : 318 Talod Road, Vaktapur, Ujediya, Kherol,

Himmatnagar

District : Sabarkantha.

.....Appellant.

Versus

The State of Gujarat

(Notice to be served upon District
Government Pleader).

.....Respondent.

Sub. : Delay Application Under Section 5 of the Limitation Act.

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Learned Advocate Mr.B.I.Limani for appellant.

Learned APP Mr.S.K.Parmar for respondent.
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:: J U D G M E N T ::

1. The present application has preferred by applicant for condonation of delay of 216 days in filing Criminal Revision Application against the rejection order of obtaining muddamal vehicle seized in punishable offence u/s.397 of I.P.C. by Kheroj Police Station in Kheroj Police Station vide III CRNo. 11209003250050/2025 passed by the learned Judicial Magistrate

First Class, Poshina on 24/04/2025 below muddamal application filed vide CRMA No.19/2025.

2. It is submitted by applicant that learned trial court has passed order in CRMA No.19/2025 on 24/04/2025 and he has to file revision application till 23/07/2025 within 90 days but he went out of head quarter for labour work and there was no bad intention for not filing criminal revision application in time limit and due to above reasons he was not able to file criminal revision application and thus there is delay of 216 days in filing the Criminal Revision Application and prayed to condone the delay.

3. On filing this application notice to the opponent was issued, which was served upon the State and learned APP Mr.S.K.Parmar has appeared and objected present application and requested to reject the present application.

4. I have perused the record. I have considered the submissions of Ld. advocate for applicant and he has submitted that there is a delay of 216 days in filing the Criminal Revision Application and urged that same be condoned.

5. Now looking to the legal aspects, the Hon'ble Supreme Court and our Hon'ble High Court in many decisions, time and again held that the approach of the court should be liberal in considering the delay condonation applications. It appears from the facts and contentions of the application that delay was not due to any gross negligence on the part of the applicant.

6. Thus considering the facts & circumstances and reason for delay in the application, it seems that there is sufficient

cause to condone the delay. Therefore, without adopting any hyper-technical view, I deem it fit to condone the delay in filing the present Criminal Revision Application. Thus I pass following order.

:: O R D E R ::

1. The present Criminal Misc. Application is hereby allowed.
2. Delay of 216 days caused in filing Criminal Revision Application against the the rejection order of obtaining muddamal vehicle seized in punishable offence u/s.397 of I.P.C. by Kheroj Police Station in Kheroj Police Station vide III CRNo. 11209003250050/2025 passed by the learned Judicial Magistrate First Class, Poshina on 24/04/2025 below muddamal application filed vide CRMA No.19/2025 is hereby condoned.
3. The Registry is hereby directed to register and number the Criminal Revision Application accordingly for its adjudication.

Signed and pronounced in open court today on 30th day of March-2026.

Date :30/03/2026 Place: Idar. //MVL//	(M.Y.Radhanpurwala) GJ00734 3 rd Additional Sessions Judge Sabarkantha @Idar.
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