

GJVD220002142026



Received on : 09.06.2026

Registered on : 09.06.2026

Decided on : 09.06.2026

EXH. No. _____

**IN THE COURT OF 5th ADDITIONAL SESSIONS JUDGE,
VADODARA @ DABHOI.**

Cri. Misc. Application No.74 of 2026

Adilhussain Mahammadsaid Lafawala,
Age: 28, Occupation: Business,
Resi.: Begwada, Behind Kajivada Masjid,
Dabhoi, Vadodara.

...Applicant

VERSUS

(1) The State of Gujarat

(2) The Prime Co-operative Bank Ltd.

Thorough its Officer Shri. Amitbhai P. Sukhadia,
Address: Near Tower, Kansara Bazaar,
Dabhoi, Vadodara.

...Respondents

Appearance:

Mr. S. N. Kadia, Ld. Advocate for the applicant.
Ld. APP Shri. H. B. Chauhan, for the state.
Respondent No.2 in person.

// O R D E R //

- [1] The present application has been filed by the applicant under section 5 of the Limitation Act, 1963 for the condonation of delay in filing the criminal appeal against the order/judgment dated 10.11.2025 passed by the Ld. Additional Chief Judicial Magistrate, Dabhoi in Criminal Case No.803/2025.
- [2] After filing of the application, notice was duly served upon the respondents and Ld. APP has appeared for the State.
- [3] It has been submitted on behalf of the applicant that there is a delay of 239 days in filing of the present appeal and the same was unintentional. It is further argued that the delay has been caused due to certain unavoidable

circumstances and the mother of the applicant was suffering from heart ailment. Ld. Advocate for the applicant has further submitted that now the matter has been settled between the parties and the amount of the cheque has been paid to the respondent No.2 therefore, the present application may be allowed in the interest of justice and appeal against the order dated 10.11.2025 passed by the Ld. Additional Chief Judicial Magistrate, Dabhoi in Criminal Case No.803/2025, be admitted.

- [4] The opponent No.2, Officer of the Prime Co-operative Bank Ltd. has made an endorsement below Exh.1 to the effect that he has no objection if the present application is allowed. Ld. APP has submitted to pass a suitable order in accordance with law.
- [5] I have heard the learned advocates for the parties and perused the record. The perusal of the record shows that there was bona-fide reason behind the delay caused by the applicant and condonation of such delay would not cause any prejudice to the respondents and the respondent No.2 has no objection in condonation of delay for filing of the Appeal. Therefore, in the interest of justice, present application is allowed with the following order.

// ORDER //

- (1) The present application for condonation of delay is hereby allowed.
- (2) The Registry, Additional District and Sessions Court, Dabhoi is hereby directed to admit the appeal in accordance with law and to issue notice of that Appeal to the respondents.
- (3) File is consigned to record room as per rules.

Signed & Pronounced in the open Court today on this 09th day of June, 2026.

DABHOI
DATE : 09/06/2026

(RAHUL SHARMA)
5th ADDITIONAL SESSIONS JUDGE,
VADODARA @ DABHOI.
CODE No. 01588.