

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL APPEAL NO. 218 of 2023****With****CRIMINAL MISC.APPLICATION (FOR CONDONATION OF DELAY) NO. 1
of 2023****In R/CRIMINAL APPEAL NO. 218 of 2023**=====
BHARATBHAI DHULABHAI BARIYA**Versus****STATE OF GUJARAT**
=====**Appearance:****MR PATHIK M ACHARYA(3520) for the Appellant(s) No. 1****MS VRUNDA SHAH, APP for the Opponent(s)/Respondent(s) No. 1**
=====**CORAM:HONOURABLE MR. JUSTICE S.H.VORA****and****HONOURABLE MRS. JUSTICE MAUNA M. BHATT****Date : 31/01/2023****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE S.H.VORA)****Order in Criminal Misc. Application No.1 of 2023**

Rule returnable forthwith. Learned APP waives service of rule on behalf of respondent – State.

By way of this application under section 5 of the Limitation Act, the applicant seeks condonation of delay of 402 days caused in preferring Criminal Appeal.

Having heard learned advocate for the applicant and considering the averments made in the application, present Criminal Misc. Application is allowed and delay of 402 days caused in preferring Criminal Appeal is hereby condoned. Rule is made absolute to the aforesaid extent.

Order in Criminal Appeal No.218 of 2023.

Admit. Learned APP waives service of notice of admission for respondent – State.

(S.H.VORA, J)

SATISH

(MAUNA M. BHATT,J)