

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL APPEAL NO. 1276 of 2018**

With
CRIMINAL MISC.APPLICATION NO. 2 of 2018
With
CRIMINAL MISC.APPLICATION NO. 3 of 2018

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SHASHANKSINH @ LADDUSINH S/O ARUNKUMARSINH @ BABLUSINH
RAJPUT
Versus
STATE OF GUJARAT

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Appearance:

AADITYA D BHATT(8580) for the PETITIONER(s) No. 1
MR CHINTAN DAVE, ADDL PUBLIC PROSECUTOR(2) for the
RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE ANANT S. DAVE
and
HONOURABLE MR.JUSTICE BIREN VAISHNAV

Date : 04/09/2018

ORAL ORDER
(PER : HONOURABLE MR.JUSTICE ANANT S. DAVE)

ORDER IN CRIMINAL MISC.APPLICATION NO. 2 OF
2018

1. Rule. Mr. Dave, learned APP waives service of notice of rule on behalf of the respondent-State of Gujarat.

2. This application under Section 5 of Limitation Act is preferred by the applicant seeking condonation of delay of 28 days in filing accompanying Criminal Appeal against the judgement and order of conviction for which it is submitted that sufficient cause exists and accordingly delay be

condoned.

3. Considering the overall facts and circumstances of the case and the submissions made by learned advocate appearing on behalf of the applicant, we are satisfied that sufficient cause is shown to exercise discretion in favour of the applicant. Accordingly, delay in filing Criminal Appeal is condoned. Application is allowed. Rule is made absolute.

ORDER IN CRIMINAL APPEAL NO. 1276 OF 2018

Admit.

R & P to be called for from the concerned trial Court forthwith.

ORDER IN CRIMINAL MISC.APPLICATION NO. 3 OF 2018

Rule returnable on 26.09.2018.

(ANANT S. DAVE, J)

(BIREN VAISHNAV, J)

DIVYA