

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.18 OF 2015****IN****CRIMINAL APPEAL NO.1333 OF 2011**

Dullesh Jamal Vasuniya

..Applicant.

versus

State of Maharashtra

..Respondent.

.....

Mr. Amit Sale for the Applicant.

Ms. Sharmila Kaushik, Addl.P.P. for the State.

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CORAM : A.S. GADKARI, JJ.**20th January, 2015****P.C. :**

This is an Application filed by the Applicant through jail. Heard Mr. Amit Sale, learned counsel appearing for the Appellant in Criminal Appeal No.1333 of 2011 and the learned APP. Mr. Sale submitted that the date of incident is 17th August, 2007. The Applicant /Appellant was arrested on 18th August, 2007 and since then he is in jail.

2. The Applicant in the present Application has stated that he has been convicted for offence punishable under Section 395 of the Indian Penal Code and has been sentenced to undergo rigorous imprisonment for ten years. The Applicant has further stated that he has already undergone more than seven years' of actual imprisonment. The Applicant has further made a grievance against the advocate on record about his not attending the matter on time.

3. Mr. Amit Sale, learned counsel appearing for the Applicant/ Appellant submitted that on an earlier occasion, when the Appeal was

called out by this Court for final hearing, he was held up before the other Court and could not attend the matter. He, however, assures this Court that whenever the Appeal will be taken up for hearing in future, he will attend the same without fail. In view of the assurance given by Mr. Amit Sale, the hearing of the Appeal is expedited and the Registry is hereby directed to place the Appeal on the final hearing Board as per its turn from the week commencing 27th January, 2015.

The Application is allowed in the aforesaid terms.

(A.S. Gadkari, J.)