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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1001 OF 2015
IN
CRIMINAL APPEAL ST.NO.800 OF 2015

Usman @ Abdul Gani Shaikh	..Applicant.
Vs.	
The State of Maharashtra	..Respondent

Ms. Sonia Miskin for Applicant.
Mr. H.J. Dedhia, APP for State.

**CORAM: SMT. V.K. TAHILRAMANI, Acting C.J. &
A.S. GADKARI, J.**

22nd September, 2015

P.C.:

Heard both sides.

2 The applicant has been convicted under Section 302 of IPC. Being aggrieved by the said conviction, he preferred the criminal appeal stamp no.800 of 2015. As there was delay of 6 years and 279 days in filing the appeal, he has preferred the present Application for condonation of delay.

3 Looking to the fact that the delay is of 6 years and 279

days, we directed office to verify whether the record and proceedings of the case are still available with the concerned Sessions Court i.e. City Civil and Sessions Court, Greater Bombay. The communication dated 15.9.2015 addressed by the Registrar of the City Civil and Sessions Court, Greater Bombay clearly shows that the record and proceedings of the concerned case i.e. Sessions Case No.465 of 2007 are still available with their office.

4 In this view of the matter and looking to the averments made by the applicant in his application and looking to the fact that the appeal and the application for condonation of delay have been preferred through jail, we condone the delay.

5 The Application is allowed in the above terms.

(A.S. GADKARI, J.)

(ACTING CHIEF JUSTICE)

CERTIFICATE

**Certified to be true and correct copy of the original
signed order.**