

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (APPA) NO.517 OF 2014**

**SHRI. HARENDRA @ SUBHASH S/O SHYAMRAO JANGALE  
V/S  
THE STATE OF MAHARASHTRA, THROUGH P.S.O. LAKHANDUR,  
BHANDARA AND 6 OTHERS**

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders

Court's or Judge's order

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**Shri R.R. Gour, counsel for the applicant  
(Appointed).**

**Shri S.B. Ahirkar, APP for the State.**

**Shri Prashant Gode, counsel for R-2 to 7.**

**CORAM : PRASANNA B. VARALE, J.**  
**DATE : MARCH 9, 2015**

**Heard.**

By this application, the applicant is seeking condonation of delay of 157 days caused in filing the criminal appeal.

Shri R.R. Gour, learned counsel (appointed) for the applicant, submits that the applicant has raised substantial grounds in challenge to the judgment and order of acquittal. He further submits that the applicant is an illiterate rustic villager. He was ignorant about the legal niceties and facing financial constraints. He submits that the applicant earns for his

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livelihood labour work. He further submits that the applicant was carrying *bona fide* impression that judgment and order of acquittal would be challenged by the State of Maharashtra and as there was no such step initiated, the applicant then approached The High Court Legal Services Sub-Committee, Nagpur seeking necessary legal assistance. On such legal assistance was made available to the applicant, the necessary steps were taken including collecting copy of judgment and order, application of the appeal, and charge-sheet.

Learned counsel for the applicant thus submits that delay caused in filing the criminal appeal is purely an unintentional and for *bona fide* reasons.

Learned APP for the State and learned counsel for respondent Nos.2 to 7 vehemently oppose the application for the condonation of delay.

For the reasons stated in the application and in view of the submission of the learned counsel for the applicant, in my opinion, though belatedly, the applicant has approached this Court with justifiable

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grounds, the criminal application for condonation of delay is thus allowed.

The delay is condoned.

The criminal application is disposed of, as such.

**JUDGE**

**!! BRW !!**

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