

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPW) NO. 632 OF 2015

(Ajay s/o Sukhdas Kumbhare (in Jail) vs. State of Maharashtra thr. PSO, PS Deolapur, Tah –
Ramtek, Dist. Nagpur)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
NOVEMBER 30, 2015.**

Heard Shri Dhabe, learned counsel
(appointed) for the applicant.

The applicant – a convict in jail, has filed
appeal under Section 374(2) of the Criminal Procedure
Code, assailing his conviction. It is delayed by four
years and 166 days.

Shri Dhabe, learned counsel submits that as
he is still in jail and question is of personal liberty,
cause of action is continuous one.

Shri Ghurde, learned APP for the respondent
disputes this. He seeks time to obtain instructions.

However, as the appeal has been filed by the
applicant through legal aid, in this situation,
considering the fact that he is still in jail, we are
inclined to condone delay. The office to register
Criminal Appeal.

Criminal Appeal No. _____ 2015.

Heard.

By a separate order passed today, delay is
condoned.

Admit.

Hearing expedited.

Shri Ghurde, learned APP waives notice for
the respondent.

Call for R. & P.

JUDGE

JUDGE

*GS.