

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPEAL/APPLICATION NO.810 OF 2016

IN

CRIMINAL APPEAL (ST) NO.472 OF 2016

Shankarayya Kakkayya Dasari ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Nitesh J. Mohite I/b. Jaydeep D. Mane, Advocate for the Applicant.
Ms.A.A.Takalkar, APP for the Respondent/State.

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CORAM : A. M. BADAR J.

DATED : 16th NOVEMBER 2016.

P.C.

1 This is an application for condonation of delay of 42 days in filing an appeal challenging conviction of the applicant for the offences punishable under Section 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act.

2 Heard the learned counsel for the applicant as well as the learned Additional Public Prosecutor. The learned Additional Public prosecutor vehemently opposed the application by contending that the Judgment and Order of conviction was passed in presence of this applicant and reasons stated are not sufficient to condone the delay.

3 By causing delay, no benefit can be gained by the

applicant, who is convicted accused. He has stated that because of ill-health, he could not file appeal in time. The delay caused is only of 42 days.

4 In this view of the matter, as the application is supported by an affidavit, the delay is condoned.

5 The application is allowed accordingly.

(A. M. BADAR J.)