

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1211 OF 2016

IN

CRIMINAL APPEAL NO.679 OF 2016

Imran Gani Mujavar ... **Applicant**

V/s.

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

.....

Ms.Meghna Gowalani i/b. Mr.Ganesh Gole, Advocate for the
Appellant/Applicant.

Mr.A.R.Kapadnis, 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 by accused convicted of the offence punishable under Section 376 and 363 of the Indian Penal Code by the learned Additional Sessions Judge, Ichalkaranjai, District Kolhapur in Sessions Case No.36 of 2012.

2 Heard the learned counsel for the applicant/accused as well as the learned Additional Public Prosecutor. The learned Additional Public Prosecutor opposed the application by contending that there are no sufficient grounds to condone the delay.

3 The applicant is convicted accused and he is reported to be behind the bar. Perusal of the impugned Judgment and Order of

conviction shows that it was pronounced in his absence on 06/05/2016. The delay is only of 85 days. Reasons stated for condonation of delay is penury of the applicant. Hence, for the stated reasons, the delay in filing the appeal is condoned.

4 Application is accordingly allowed.

(A. M. BADAR J.)