

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1 CRIMINAL APPLICATION NO. 1878/2016
IN APEAL ST/216/2016

THE STATE OF MAHARASHTRA
VERSUS
KAMLAKAR LIMBAJI KEDAR AND ANOTHER.

...
A.P.P. for Applicant : Mr. A. P. Basarkar.

**CORAM : K.K. SONAWANE, J.
DATED : 03rd JULY, 2017.**

Order :-

1. The learned A.P.P. submits that the appeal against conviction filed by the respondents accused has already been admitted and is pending for final hearing on merits. The paper book has also been dispensed with.
2. In the present case, appellant State is intending to seek leave for enhancement of the quantum of sentence. But, there is delay in filing the appeal and application seeking leave. He prayed to condone the delay.
3. Considering the appeal filed on record by convicted appellant as well as reasons given in the application, I do not find any impediment to condone the delay. For the reasons stated in the application, the same is allowed in terms of prayer clause 'B'. The delay stands condoned. Registry to take requisite steps for further process.
4. Issue notice to the respondents on the application of seeking leave, returnable on 24th July, 2017.

**[K. K. SONAWANE]
JUDGE**

RRD