

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.424 OF 2017
WITH
CRIMINAL APPLICATION NO.425 OF 2017
IN
CRIMINAL APPEAL NO.94 OF 2013**

**Mauleshkumar R. Trivedi
1A Mrs. Geeta Mauleshwar Trivedi)...Applicant/Appellant**

**V/s.
State Of Maharashtra & Ors.)...Respondents**

Mr. Nilesh Tribhuwan, Advocate for the Applicant/Appellant.

Mr. S.V.Gavand, APP for the Respondent - State.

Ms. Rebecca Gonsalves, Advocate for R.No.2.

CORAM : A. M. BADAR, J.

DATE : 12th April, 2017.

P.C. :

These are applications for condonation of delay and leave to prosecute the appeal filed by the deceased appellant in moving application for leave to prosecute the appeal filed by the deceased/appellant. Applications are moved by the wife of the deceased/appellant.

2 Heard both sides. The deceased appellant who was public servant was convicted for the offence punishable under Section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 and he was sentenced to suffer rigorous imprisonment for two years apart from payment of fine of Rs.10,000/-

3 Even the report sent by the Sessions Judge shows that the deceased appellant/public servant died during the pendency of the appeal. His wife is seeking leave to prosecute the appeal on behalf of the deceased appellant and the said delay deserves to be condoned and leave needs to be granted.

4 In this view of the matter, the delay is condoned. The appellant-Mrs. Geeta Mauleshwar Trivedi is permitted to prosecute the Appeal No.94 of 2013 filed by the deceased appellant-public servant challenging his conviction and sentence.

5 The learned advocate for the appellant undertakes to pay paper-book charges with the trial Court within a period of six weeks. On deposit of paper-book charges, paper-book be prepared. Applications are disposed of accordingly.

(A. M. BADAR, J.)