

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1030 OF 2017
IN
CRIMINAL APPEAL (ST) NO.630 OF 2017**

Khushbuddin Mustafa Shaikh & Anr. ... **Applicants**
V/s.
The State of Maharashtra ... **Respondent**

.....
Mr.Ankush H.Dhokale i/b. Prakash J.Salsingikar, Advocate for the Applicants.
Mr.S.V.Gavand, APP for the Respondent/State.
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CORAM : A.M.BADAR J.

DATED : 19th September 2017.

P.C. :

1 This is an application for condonation of delay in filing an appeal challenging conviction and resultant sentence imposed on both applicants.

2 Applicants are convicted of offences punishable under Sections 395 and 120-B of the Indian Penal Code and they are sentenced to suffer rigorous imprisonment for ten years apart from imposing fine on them. The delay of two days occasioned in filing appeal is sufficiently explained and, therefore, I find no merits in the submission of the learned Additional Public Prosecutor that the delay is not bona fide.

3 Hence, for the stated reasons, the application is allowed and delay in lodging the appeal is condoned.

(A.M.BADAR J.)