

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

**CRIMINAL APPLICATION NO.1143 OF 2014
IN
CRIMINAL APPEAL (ST) NO.695 OF 2014**

The State of Maharashtra ... **Applicant**
V/s.

Pundlik Ganpat Gole & Ors. ... **Respondents**

.....

Mr.Vaibhav Begade Special P.P. with Mr.H.J.Dedia, APP for the Applicant/State.

Mr.Pritam P. Runwal, Advocate for the respondent/original accused No.2.

Mr.Prathmesh Mestry, Advocate for the respondent/original accused No.3.

Mr.Prosper D'souza, Advocate appointed for the appellant/original accused No.1 in Criminal Appeal No.365 of 2014.

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**CORAM : SMT.V.K.TAHILRAMANI &
A. M. BADAR JJ.**

DATED : 27nd FEBRUARY 2017.

P.C.

1 Heard Mr.Begade, the learned Special Public
Prosecutor for the applicant, Mr.Runwal, the learned counsel
for the respondent No.2, Mr.Mestry, the learned counsel for
the respondent No.3.

2 Respondent Nos.1 and 5 to 7 are served. None appeared for the respondent No.1 and 5 to 7 though served. Fresh notice to respondent No.4 was issued as per order dated 16/12/2016, which was received with remark that the respondent No.4 refused to accept the notice before the Jailor, Central Prison, Kalamba, Kolhapur. In view of this, notice is deemed to be duly served on respondent No.4. Thus all the respondents are served.

3 This is an application for condonation of delay of 140 days caused in filing an appeal for enhancement of sentence. In view of the averments made in the application and in the interest of justice, we are of the opinion that delay ought to be condoned. Accordingly, delay is condoned.

4 Application is allowed in above terms.

(A. M. BADAR J.) (SMT. V. K. TAHILRAMANI J.)