

ISM

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION**

CRIMINAL APPLICATION NO. 461 OF 2016

The State of Maharashtra

.....Applicant

V/s.

Saquib Abdul Hamid Nachan and others

.....Respondents

Mr. J. P. Yagnik APP for the State

Ms. Rohini Salien SPP

Mr. Saquib Abdul Hamid Nachan accused no. 1 in person

Ms. Tahera Abdul Rashid Qureshi for respondent nos. 2, 4 & 6

Mr. Bhavesh Pasbola I/b Mr. Rahul Arote for respondent nos. 3, 9, 10 & 13

**CORAM : S. S. SHINDE AND
MRS. MRIDULA BHATKAR, JJ.**

DATE : SEPTEMBER 4, 2018.

P.C.

Heard the learned APP appearing for the State, the learned counsel appearing for respondent nos. 3, 9, 10 & 13 and the learned counsel appearing for respondent nos. 2, 4 & 6. All the respondents have been served.

2 The learned APP appearing for the State invites our attention to the averments of the application and submits that the delay of 85 days in filing the appeal deserves to be condoned.

3 On the other hand, the learned counsel appearing for respondent nos. 3, 9, 10 & 13 vehemently opposed the prayer in the application and submits that no sufficient reasons/explanation has been offered in the application so as to condone the delay.

4 We have considered the submissions of the learned APP and the counsel appearing for respondent nos. 3, 9, 10 & 13. We have carefully perused the reasons stated in the application. There is a delay of 85 days which deserves to be condoned in the interest of justice.

5 Application stands disposed of. Let the appeal be numbered and listed on 09/10/2018.

[MRS. MRIDULA BHATKAR, J.]

[S. S. SHINDE, J.]