

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1713 OF 2017

IN

CRIMINAL APPEAL NO.1059 OF 2017

BHAGWAN MARUTI PATIL

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENTS

None for the Applicant.

Ms.Nasreen Ayubi, Advocate appointed for the Applicant/
Appellant.

Mr.Prashant Jadhav, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 4th JANUARY 2018

P.C. :

1 This is an application sent by the applicant/accused through jail seeking condonation of delay in filing the appeal challenging his conviction under Narcotic Drugs and Psychotropic Substances Act (NDPS Act).

2 Ms.Nasreen Ayubi, the learned advocate on the panel of High Court Legal Aid, is appointed to represent the applicant/accused at the cost of the State.

3 Heard Ms.Nasreen Ayubi, the learned advocate appearing for the applicant/accused. She argued that because of weak financial condition of the applicant/accused, he could not engage lawyer to file an appeal after his conviction and resultant sentence.

4 The learned APP opposed the application.

5 I have carefully considered the rival submissions and also perused the judgment and order sought to be impugned. The applicant/accused is convicted of the offence punishable under Section 8(c) read with 20(b)(ii)(C) of the NDPS Act and is sentenced to suffer rigorous imprisonment for 20 years. Because of penury, the applicant/accused could not file appeal within limitation. Hence, the following order :

ORDER

- i) The application is allowed.
- ii) The delay in filing the appeal is condoned.
- iii) The application is accordingly disposed of.

(A. M. BADAR, J.)