

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 994 OF 2019

Avinash Datta Chavhan (in jail) .Vs. The State of Maharashtra, Through
P.S.O., P.S. Pophali, Tah. Umarkhed, Dist. Yavatmal.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. C.B. Barve, Advocate for applicant.
Mr. M.K. Pathan, A.P.P. for respondent no.2-State.

CORAM : V. M. DESHPANDE, J.
DATED : DECEMBER 10, 2019

Heard Mr. C.B. Barve, learned counsel appointed for the applicant, by the Division Bench (Coram : Z.A.Haq and M.G.Giratkar, JJ) of this Court, on this application for condonation of delay in filing the appeal challenging the judgment and order of conviction passed in Sessions Trial No.11/2017.

The applicant was sentenced to suffer rigorous imprisonment for 10 years and to pay fine of Rs.1,000/- in the said Sessions Trial. Delay is about 251 days in filing appeal.

After hearing Mr. Barve, learned counsel for the applicant and Mr. Pathan, learned Additional Public Prosecutor for State and after perusing contents of application, I am satisfied that there is sufficient cause for not approaching the Court within the period of limitation. Hence, I pass the following order:

ORDER

- (i) The application is allowed.
- (ii) Delay of 215 days in preferring the appeal stands condoned.
- (iii) Registry is directed to register the appeal.
The application is disposed of.

CRIMINAL APPEAL NO. OF 2019.

Heard.

Admit.

Mr. M.K. Pathan, waives notice of hearing
on behalf of respondent State.

JUDGE

srwagh