

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

**INTERIM APPLICATION NO. 1375 OF 2020
IN
CRIMINAL APPEAL (Stamp) NO. 3657 OF 2020**

Jaiprakash Hariharprasad Mishra ... Applicant/Appellant

V/s

The State of Maharashtra ... Respondent

Mr. Lokesh Zade, for the Applicant/Appellant, appointed by High Court Legal Aid Committee.

Mr. V.B. Konde-Deshmukh, APP for the State-Respondent.

**CORAM : PRASANNA B. VARALE &
V.G. BISHT, JJ.**

DATE: 10th December, 2020.

PC:

This is an application for seeking condonation of 1001 days delay caused in filing criminal appeal challenging the judgment and order dated 30th November, 2017 passed by the learned Additional Sessions Judge, Raigad, Alibag whereby the applicant/appellant is awarded conviction and sentence for commission of offence punishable under Section 302 of the Indian Penal Code. The learned counsel by inviting our attention, more particularly, in para 3 and 4 of the Application

submitted that the applicant due to paucity of finance was unable to engage the counsel for considerable length of period. Learned counsel then submitted that ultimately the High Court Legal Services Committee, Bombay, was pleased to provide legal assistance to the applicant/appellant by engaging the counsel to submit the Appeal in this Court. It took some time by the learned counsel to collect the papers and prepare the appeal memo and submit the same in the office. The learned counsel then submitted that the delay caused was purely unintentional and for bonafide reasons. The learned counsel then submitted that the applicant/appellant is having high hope of success in the matter. Thus, the counsel prays for condonation of delay.

2 Heard learned APP for the State.

3 In view of the submissions and for the reasons stated in the application, more particularly, at ground Nos. 3 and 4, the application is allowed. Delay is condoned.

(V.G. BISHT, J.)

(PRASANNA B. VARALE, J.)