

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 51 OF 2019
IN
CRIMINAL APPEAL (ST) NO. 14 OF 2019

Suresh Babu Giri ... Applicant

Versus

The State of Maharashtra ... Respondent

.....
Shri. S. P. Brahme, Advocate (appointed) for the applicant
Shri. K. S. Patil, APP for respondent/State
.....

CORAM : RAVINDRA V. GHUGE
AND
B. U. DEBADWAR, JJ
DATE : 15.2.2021

PER COURT :-

1. The applicant suffers conviction for having committed an offence punishable under Section 302 of the IPC and is sentenced to suffer life imprisonment, vide the impugned Judgment dated 11.09.2015.
2. By this application, the applicant seeks condonation of delay of 1153 days, caused in filing the Appeal.
3. The learned Prosecutor submits that, the delay does not deserve to be condoned.

4. We find that though the reasons mentioned in the application may not be strong enough for condonation of a long delay, we are of the view that if the delay is not condoned, the doors of litigation would be closed on the appellant and he would not be in a position to challenge his conviction and the life sentence.

5. In view of the above, Criminal Application No. 51 of 2019 is allowed. The delay of 1153 days is condoned. We are not imposing cost since the applicant is serving out his jail sentence.

6. In view of the above, the appeal stands registered subject to removal of all office objections within four weeks.

7. The Appeal is Admitted. The learned Prosecutor waives service of notice on admission of appeal.

8. The appeal paper-book has been supplied to this Court.

9. List the appeal for final hearing on 14.06.2021.

(B. U. DEBADWAR)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE