

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

**CRIMINAL APPLICATION NO. 2051 OF 2020
IN
CRIMINAL APPEAL [ST] NO. 2758 OF 2020**

Lobda Namdeo Khadse

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Shri. Pravin B. Waghmare, Advocate appointed through Legal Aid, for
the applicant

Shri. S. J. Salgare, APP for respondent / State

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**CORAM : V. K. JADHAV &
SANDIPKUMAR C. MORE, JJ.**

DATE : DECEMBER 14, 2021

PER COURT : -

1. Heard. Issue notice to the respondent. Learned APP
waives service of notice on behalf of respondent / State.

2. The learned Counsel for the applicant/accused submits
that the applicant / accused is convicted for the offence punishable
under Section 302 of the Indian Penal Code by learned Additional
Sessions Judge, Nanded vide Judgment & Order dated 27.03.2019 in
Sessions Case No. 99/2016 and sentenced him to suffer imprisonment

for life and to pay fine of Rs. 5,000/-, in default, to undergo further rigorous imprisonment for six months. Learned counsel submits that the applicant/accused was in jail during trial and was never released on bail.

3. Learned counsel submits that there is nobody in the family except the wife of the applicant to look after his case. Applicant's wife is also illiterate woman.

4. We have also heard learned APP for State.

5. In view of the submissions made by learned Counsel for the applicant and for the reasons stated in the application, the same is allowed. Delay of 512 days caused in filing the Criminal Appeal against the judgment & order of conviction is hereby condoned.

6. Criminal Appeal be registered.

[SANDIPKUMAR C. MORE]
JUDGE

[V. K. JADHAV]
JUDGE