

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO.1185 OF 2019
(wrongly mentioned on board at Cri.IA No.185/2019)

Bhivaji Rama Patil : Applicant/Appellant.
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Sunil Kamb le for the Applicant/Appellant.
Mr. J P Yagnik, APP for the Respondent/State.
Ms. Priyanka Chavan for Respondent No.2.

CORAM : S. S. SHINDE,
MANISH PITALE, JJ
DATE : 27th JANUARY 2021

PC.

1 This Criminal Application is filed for condonation of delay in filing the Appeal under the provisions of Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2 The prayer for condonation of delay has been vehemently opposed by the learned APP and the learned advocate, who has been appointed to represent the 2nd Respondent. It is submitted that there is an inordinate delay of more than 239 days in filing the appeal and for that inordinate delay plausible explanation is not given by the Applicant/Appellant.

3 We have perused the averments made in the application. By condoning the delay in filing the appeal, the Applicant/Appellant is not gaining

any undue advantage, on the contrary, the Applicant/Appellant is in jail.

4 In that view of the matter, for the reasons stated in the application, the application is allowed. Delay in filing the appeal stands condoned. List the Appeal for hearing on 11/02/2021.

5 In the meantime the Registrar (Judicial) to call for the status report of the proceedings in Special Case No.148 of 2018 pending on the file of Additional Sessions and Special Judge Kolhapur arising out of CR No.191 of 2018 registered with Vadgaon Police Station, Hatkanangale, Dist. Kolhapur.

6 The Criminal Application stands disposed of.

[MANISH PITALE, J]

[S. S. SHINDE , J]