

VISHWANATH
SATYANARAYANA
SHERLA

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

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VISHWANATH
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Date: 2021.10.21
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**CRIMINAL INTERIM APPLICATION NO.2344 OF 2021
IN
CRIMINAL APPEAL (STAMP) NO.14667 OF 2021**

Ghanshyam Jagjivan Gupta

... Applicant

Vs.

The State of Maharashtra & others

... Respondents

Mr.K.D. Walanju, advocate appointed for the Applicant

Mr.S.S. Hulke, APP, for Respondent – State

**CORAM: S.S. SHINDE &
SANDIPKUMAR C. MORE, JJ.**

DATED: OCTOBER 21, 2021

P.C.:

1. Heard the learned Counsel appearing for the applicant/appellant. He invites our attention to the averments in the application and submits that the delay of 575 days in filing the appeal by the applicant/appellant has been properly explained. It is submitted that the applicant / appellant is in jail since the date of his arrest. By delay in filing the appeal against the order of conviction, the applicant has not gained any undue advantage. On the contrary, he is in jail since his arrest. Therefore, the learned

Counsel submits that the delay of 575 days in filing the appeal may be condoned.

2. Learned APP appearing for the respondent – State vehemently opposed the application and submitted that there is an inordinate delay in filing the appeal.

3. We have appreciated the rival contentions and with the assistance of the learned Counsel appearing for the applicant, perused the averments in the application. In our considered opinion, the delay deserves to be condoned. Therefore, the delay in filing the appeal is condoned. The application stands disposed off.

4. We appreciate the able assistance rendered by the learned Counsel appearing for the applicant, who is appointed by this Court to espouse the cause of the applicant. We quantify his fees at Rs.7,500/-, to be paid by the High Court Legal Services Committee, within four weeks from the receipt of the copy of this order.

(SANDIPKUMAR C. MORE, J.)

(S.S. SHINDE, J.)