

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CRIMINAL APPLICATION (APPA) NO.391 OF 2021
IN
CRIMINAL APPEAL NO. OF 2021

Babulal S/o Chamru Naitam

Vs.

The State of Maharashtra, through the P.S.O., P.S. Korchi, Dist. Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.C. Jaltare, Advocate for the applicant/appellant.
Shri V.A. Thakare, A.P.P. for the respondent – State.

CORAM : V.M. DESHPANDE AND AMIT B. BORKAR, JJ.

DATE : 30th JULY, 2021.

1. This is an application for condonation of delay in preferring the appeal to challenge the judgment and order of conviction passed by learned Sessions Judge, Gadchiroli in Sessions Case No.26 of 2017, whereby the applicant is convicted for the offence punishable under Section 302 of the Indian Penal Code, 1860, and is directed to suffer life imprisonment.

2. Heard Shri A.C. Jaltare, learned counsel for the applicant and Shri V.A. Thakare, learned Additional Public Prosecutor for the non-applicant/State.

3. Learned counsel for the applicant submits that there is a delay of 499 days.

4. Though there is delay of 499 days, in our view, that should not be an impediment for the applicant to challenge the order of sentence to suffer life imprisonment. In that view of the matter, we allow this application. Delay in filing the appeal stands condoned. Office to register the appeal.

5. The Criminal Application stands disposed of accordingly.

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1. Heard.
2. **Admit.**
3. Shri V.A. Thakare, learned Additional Public Prosecutor waives service for the respondent.

JUDGE

JUDGE