

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

**CRIMINAL APPLICATION NO. 22 OF 2022 IN  
CRIMINAL APPEAL ST. NO. 42 OF 2022**

Santosh s/o Baburao Lavrale

Applicant

Versus

The State of Maharashtra

Respondent

Ms. Vaishali A. Shinde, advocate (appointed) for the applicant  
Mr. S. J. Salgare, APP for the Respondent-State.

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

**DATE : 03<sup>rd</sup> March, 2022.**

**PC :**

Heard issue notice to the respondents.

Learned A. P. P. waives notice for Respondent-State.

The applicant is a convict. The learned Additional Sessions Judge, Ahmedpur, District Latur, by judgment and order dated 26.04.2019 in Sessions Case No.08/2017, convicted the applicant-accused for the offence punishable under Section 302 of the Indian Penal Code and sentenced him to suffer rigorous imprisonment for life and to pay fine of Rs.25,000/-. The applicant has preferred an appeal against the said judgment and order of conviction, which is delayed by 917 days.

The learned Counsel appointed to represent the applicant submits that the applicant was under trial and there is no one in his family to look after his case. He is in jail since the date of his arrest. The learned Counsel submits that the delay is not intentional one and the applicant is prevented from all these reasons to prefer the appeal in time.

The learned A. P., P. submits that appropriate order may be passed.

Since the applicant was under trial and he was convicted in the year 2019, we are inclined to condone the delay.

In view of the same, Criminal Application is allowed in terms of prayer clause "B".

Criminal Application is accordingly disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

**(V.K.JADHAV)**  
**JUDGE**

adb

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Appellant

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The State of Maharashtra

Respondent

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Mr. S. J. Salgare, APP for the Respondent-State.

CORAM : V.K.JADHAV AND  
SANDIPKUMAR C. MORE, JJ.

DATE : 03<sup>rd</sup> March, 2022.

PC :

Leave to add victim Begum Salim Shaikh to whom  
compensation has been awarded from the fine amount, as party  
Respondent No.2.

Heard.

**Admit.**

Learned A. P. P. waives notice for Respondent No.1 on  
admission.

(SANDIPKUMAR C. MORE)  
JUDGE

(V.K.JADHAV)  
JUDGE

adb

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Santosh s/o Baburao Lavrale

Applicant

Versus

The State of Maharashtra

Respondent

Ms. Vaishali A. Shinde, advocate (appointed) for the applicant  
Mr. S. J. Salgare, APP for the Respondent-State.

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

**DATE : 03<sup>rd</sup> March, 2022.**

**PC :**

Issue notice to the Respondent.

Learned A. P. P. waives notice for Respondent-State.

Call Record & Proceedings.

List the Criminal Application for suspension of  
substantive sentence and for bail, for hearing after receipt of  
Record & proceedings.

**(SANDIPKUMAR C. MORE)  
JUDGE**

**(V.K.JADHAV)  
JUDGE**

adb