

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 CRIMINAL APPLICATION NO.28 OF 2020
IN APEAL ST/8/2020

NANA @ BADRINATH S/O. DASHRATH BARELA
VERSUS
THE STATE OF MAHARASHTRA AND ANR

.....
Advocate for Applicant : Mr. Biradar R. D. (appointed Through Legal Aid)
APP for Respondent-State: Mrs. D.S. Jape
.....

**CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 11th FEBRUARY, 2022**

PER COURT:-

1. Leave to delete the name of respondent No.2 from the array of respondents in this application as well from appeal memo forthwith.
2. Heard.
3. Issue notice to the respondent. Learned A.P.P. waives notice for respondent-State.
4. Learned counsel for the applicant-convict submits that the applicant-convict was under trial and the Additional Sessions Judge, Amalner by judgment and order of conviction dated 16.9.2015 convicted him in Sessions Case No. 18 of 2013 for the offence punishable under Section 302 of I.P.C. and sentenced to suffer imprisonment for life and to pay fine of Rs.5000/-. Though there is

inordinate delay in filing the appeal, however, since the applicant accused is poor person languishing in jail right from the year 2013, we are inclined to condone the delay. Learned A.P.P. submits that appropriate order may be passed.

5. In view of t above and for the reasons stated in the criminal application, the criminal application is allowed in terms of prayer clause "B" and disposed of

(SANDIPKUMAR. C. MORE, J.)

(V. K. JADHAV, J.)

rlj/