

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 CRIMINAL APPLICATION NO. 176 OF 2022
IN APEALST/479/2022

SHABBIR @ PANGALYA LAXMAN @ LALCHAND BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mrs. Minakshi L. Sangit (appointed)
APP for Respondent-State : Mr. S. D. Ghayal
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CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 21st FEBRUARY, 2022

PER COURT:-

1. Heard.
2. Issue notice to the respondent. Learned APP waives notice for the respondent-State.
3. Learned appointed counsel submits that the applicant/appellant is under trial prisoner and in jail since the date of his arrest. His financial condition is very poor.
4. Learned APP submits that appropriate order may be passed.

5. The applicant is convicted by the Additional Sessions Judge-6, Aurangabad by the judgment and order of conviction dated 25.03.2019 in Sessions Case No. 45 of 2018 under Section 302 of IPC and sentenced to suffer imprisonment for life and to pay fine of Rs.5,000/-, in default, to suffer simple imprisonment for one month. Since the appellant-original accused is in jail from the date of his arrest and even after his conviction and since he could not prefer appeal due to his poor financial condition, we are inclined to condone the delay.

6. In view of the above and for the reasons stated in the application, the application is allowed in terms of prayer clause "A" and disposed off accordingly.

(SANDIPKUMAR C. MORE, J.)

(V. K. JADHAV, J.)

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