

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 CRIMINAL APPLICATION NO.1157 OF 2019
IN APPEAL/311/2019

SHAIKH ANSAR SHAIKH ISAQ

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. N.S. Ghanekar, Advocate for the applicant

Mr. S.J. Salgare, APP for the sole respondent

...

CORAM : SMT. VIBHA KANKANWADI AND
RAJESH S. PATIL, JJ.

DATE : 25th JULY, 2022

PER COURT :

1 Present application has been filed for getting delay of 218 days condoned in filing appeal. The present applicant-appellant has been sentenced to suffer rigorous imprisonment for life and to pay fine of Rs.10,000/-, in default to undergo rigorous imprisonment for two years, for the offence punishable under Section 302 read with Section 34 coupled with Section 120-B of the Indian Penal Code, 1860, by learned Additional Sessions Judge, Beed in Sessions Case No.52/2016 dated 22.06.2018.

2 Issue notice to the respondent. Learned APP waives notice for the sole respondent and take strong objection for condoning the delay.

3 It is to be noted that since the date of conviction the applicant-appellant is in jail. He also states that he was not on bail throughout the trial. Definitely, appeal is a vital right of a convict and, therefore, taking into consideration the duration of the delay it deserves to be condoned. Accordingly, it is condoned. Registry is directed to verify and register the appeal.

(Rajesh S. Patil, J)

(Smt. Vibha Kankanwadi, J.)

agd