

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 CRIMINAL APPLICATION NO.2913 OF 2022
IN APEALST/7941/2022

BALAJI GANGADHAR KOPANBAYANE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. R.D. Biradar, Advocate for the applicant

Mr. S.D. Ghayal, APP for the respondent

...

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

DATE : 26th SEPTEMBER, 2022

PER COURT :

1 Present application has been filed for getting the delay of 103 days condoned in filing Criminal Appeal. The applicant is the original accused No.1. He has been sentenced thus –

“1 Accused No.1 Balaji Gangadhar Kopanbayane is convicted for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860 under Section 235(2) of the Code of Criminal Procedure, 1973 and sentenced to suffer imprisonment for life and pay fine of Rs.25,000/- (Rupees Twenty Five Thousand only). In default of payment of fine he shall suffer simple imprisonment for

two years.

2 Accused No.1 Balaji Gangadhar Kopanbayane is convicted for the offence punishable under Section 120-B of the Indian Penal Code, 1860 under Section 235(2) of the Code of Criminal Procedure, 1973 and sentenced to suffer imprisonment for life and pay fine of Rs.25,000/- (Rupees Twenty Five Thousand only). In default of payment of fine he shall suffer simple imprisonment for two years.

3 Accused No.1 Balaji Gangadhar Kopanbayane is convicted for the offence punishable under Section 201 read with Section 34 of the Indian Penal Code, 1860 under Section 235(2) of the Code of Criminal Procedure, 1973 and sentenced to suffer rigorous imprisonment for seven years and pay fine of Rs.5,000/- (Rupees Five Thousand only). In default of payment of fine he shall suffer simple imprisonment for one year.

4 All the sentences shall run concurrently.”

2 Heard learned Advocate Mr. R.D. Biradar for the applicant and learned APP Mr. S.D. Ghayal for the respondent.

3 As the learned APP waives notice, the application is taken up for hearing immediately and taking into consideration the seriousness that the applicant being in jail and could not arrange for the appeal, was required to approach the High Court Legal Services Sub-Committee, Aurangabad and then the matter was allotted to the Advocate; it can be said that the

reasonable ground has been made to condone the delay. Application stands allowed and disposed of.

4 The appeal be numbered.

(Rajesh S. Patil, J.)

(Smt. Vibha Kankanwadi, J.)

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