

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

**CRIMINAL APPLICATION NO. 3477 OF 2022
IN APEALST/9675/2022**

**RUTIK GOPAL PADAMWAR
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Kulkarni Govind A.
APP for Respondent/State : Mr. Y. G. Gujrati

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**CORAM : KISHORE C. SANT, J.
DATE : 17th OCTOBER 2022.**

Per Court :

Heard.

1. This is an application for condonation of delay of 43 days i.e. caused in filing the appeal against conviction. The Applicant is convicted by judgment and order dated 01.07.2022. He is awarded maximum sentence to suffer Rigorous Imprisonment for a period of seven years and to pay fine of Rs.10,000/- and in default to suffer R.I. for a period of six months for the offence punishable under Sections

307 read with 34 of the Indian Penal Code, 1860. He is also awarded sentences under other sections of IPC.

2. Considering that the appeal is against conviction and that the Applicant is in jail, the Application needs to be considered sympathetically. Learned Advocate for the Applicant states that there is only mother of the Applicant in his family and she could not get certified copy of the necessary documents and therefore delay is caused.

3. Considering the position of the stated above and the reason for the delay, Application is allowed. Delay of 43 days is condoned i.e. caused in filing Criminal Appeal Stamp No. 9675/2022.

4. Office to register the appeal and place it after four weeks i.e. on 28.11.2022 for further consideration. In the mean time, call Record and Proceedings.

5. The Criminal Application is disposed off.

[KISHORE C. SANT, J.]