

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

**CRIMINAL APPLICATION NO. 3965 OF 2022
IN
CRIMINAL APPEAL (ST) NO. 11050 OF 2022**

Gopal Ganesh Kadam

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. B.N. Magar, Advocate for applicant
Mr. R.V. Dasalkar, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT AND
R.M. JOSHI, JJ
DATE : 01st DECEMBER, 2022**

PER COURT :

1. Heard.
2. Issue notice to the respondent. Learned A.P.P. waives service of notice for the respondent – State.
3. This is an application for condonation of delay of 186 days in preferring the appeal against judgment and order of conviction. It seems that the applicant could not file appeal as he was in jail and after he was released on parole, he could get an opportunity to present the appeal for consideration of this Court.

4. Learned A.P.P. opposed grant of application.
5. The appellant would not have gained anything by not preferring the appeal in time. The circumstances in which the delay is caused itself is justification for condonation thereof. Hence, in the interest of justice, the delay caused in preferring the appeal stands condoned. Application stands disposed of.
6. Appeal be registered. On registration, admit the appeal. Issue notice on admission to the respondent. Learned A.P.P. waives service of notice for the respondent – State.

(R.M. JOSHI, J.)

SSD

(R.G. AVACHAT, J.)