

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1518 OF 2022
IN
CRIMINAL APPEAL (ST) NO. 8000 OF 2022

Sarfaraz Mohd. Idris Khan @ Munna

.....Applicant

Vs.

The State Of Maharashtra and Anr.

.....Respondents

Mr. Rupesh Bobade for Applicant.

Ms. Sharmila Kaushik, APP for Respondent No.1-State.

Mr. S. D. Tawade, PSI, Pant Nagar Police Station is present.

CORAM : A. S. GADKARI, J.

DATE : 6th JULY, 2022.

P.C.:-

This is an Application for condonation of delay in preferring Appeal against conviction.

2. Heard learned Advocate appointed by High Court Legal Services Committee, Mumbai to represent the Applicant and learned APP.

3. Mr. Bobade, learned Advocate for the Applicant submitted that, though the office of this Court has calculated delay of 2 years and 199 days in preferring present Appeal, after taking benefit of the Order passed by the Hon'ble Supreme Court in suo moto Writ Petition (Civil) No(s)3/2020, as per his calculation, the actual delay in filing the present Appeal is of 255 days.

4. Perusal of record indicates that, there is substance in the submissions made by the learned Advocate for the Applicant. That, as per record, the Applicant is in jail since 28th August, 2017 and therefore could not prefer the present Appeal immediately after passing of the impugned Judgment and Order. Perusal of Application indicates that sufficient cause for condonation of delay is made out.

5. In view thereof and for the reasons stated in the Application, delay is condoned and Application is allowed in terms of prayer clauses (a) and (b).

(A.S. GADKARI, J.)