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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2362 OF 2022
IN
CRIMINAL APPEAL (STAMP) NO. 11858 OF 2022**

Rajesh Shankar Rajiwade

...Appellant

Versus

The State of Maharashtra

...Respondent

* * *

- Mr. A. B. Vaganyi, Advocate for the Appellant / Applicant.
- Mr. V. B. Konde - Deshmukh, APP, for the Respondent - State.

* * *

**CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.**

DATE : SEPTEMBER 28, 2022.

P. C. :

1. Heard Mr. Vaganyi learned Counsel appearing for the Applicant.

2. Learned Counsel submitted that the delay of 143 days caused in filing the appeal is due to purely *bona fide* reasons. Learned Counsel Mr. Vaganyi invited our attention to ground No. 5 and submitted that applicant was immediately arrested after the lodgment of the report, and since then he is in custody.

3. It is further submitted by Mr. Vaganyi that there is no other member in the family of the applicant to provide any financial assistance or legal assistance to him. Thus, the learned Counsel submitted that the delay caused in filing the appeal is due to the *bona*

fide reasons and same be condoned.

4. For the reasons stated in the application and in view of the submissions made by learned Counsel Mr. Vagyani, application is allowed. Delay in filing the Appeal is hereby condoned. Interim application is disposed of.

(N. R. BORKAR, J.)

(PRASANNA B. VARALE, J.)