

Versus

The State of Maharashtra ...Respondent

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Ms. Saima Ansari for the Applicant.
Ms. M.M. Deshmukh, APP for the State.

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

DATED : 27 SEPTEMBER 2022

P.C. :-

Heard learned counsel for the appellant.

2. By way of present application, the applicant is praying for condonation of delay for 2 years and 70 days in preferring the appeal.

3. The learned counsel for the applicant by inviting our attention to paragraph 2 submitted that as the applicant was in custody and

there was nobody in the family to take appropriate steps to seek legal advice and file appeal, the appeal could be filed within period of limitation.

4. The counsel further submits that the delay caused in filing appeal is bonafide and unintentional. It is also submitted by the learned counsel for the applicant that the applicant/appellant is hopeful to succeed in the appeal, as he has good case on merit.

5. As appeal is against conviction, the application is allowed in terms of prayer clause 'A'. Delay in filing appeal is condoned.

6. Interim Application is disposed of.

(N.R. BORKAR, J.)

(PRASANNA B. VARALE, J.)