

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

**INTERIM APPLICATION NO.2603 OF 2021
IN
CRIMINAL APPEAL (ST) NO.16372 OF 2021**

Balasaheb @ Balu Vishwanath Gore

...Applicant/Appellant

Versus

The State of Maharashtra

...Respondent

...

Mr. Uday B. Nighot for the Applicant/Appellant.

Mr. V. B. Konde-Deshmukh App for State.

...

**CORAM : S. S. SHINDE &
N. R. BORKAR, JJ.**

DATE : 18th FEBRUARY, 2022.

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P.C.:

1. Heard learned counsel appearing for the applicant/appellant. He invites our attention to the averments in the application and submits that the applicant did not get the legal advice for considerable period. The Applicant/Appellant is in jail for more than six years and by delay in filing of the appeal, he has not gained undue advantage. Therefore, he submits that the delay in filing of the appeal deserves to be condoned.

2. Mr. Konde-Deshmukh, learned APP submits that this Court may pass appropriate orders.

3. Heard learned counsel appearing for the appellant and learned

APP for respondent-State. Upon perusal of the averment in the application, we are of the opinion that delay in filing appeal deserves to be condoned. It is stated by the applicant in the application that he is in jail for more than six years and he did not receive support and financial assistance from his relatives for long time to file the appeal challenging the order of conviction. He further stated that, after undergoing sentence for more than 6 years, he is able to get some help from his maternal uncle.

4. In our opinion, sufficient cause has been disclosed for condonation of delay and therefore, application deserves to be allowed accordingly.

5. The application is allowed.

6. Delay in filing the appeal is condoned.

7. The application stands disposed of accordingly.

(N. R. BORKAR, J.)

(S. S. SHINDE, J.)