

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3170 OF 2022****IN****CRIMINAL APPEAL (ST) NO. 15801 OF 2022**

Jitendra Mohan Walmiki

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Shashikant P. Chaudhari appointed Advocate a/w Adv. Snehal Chaudhari for the Applicant.

Mrs. S.D. Shinde APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND  
PRAKASH D. NAIK, JJ.**

**DATE : 7<sup>th</sup> DECEMBER, 2022.**

**PC.:-**

This is an Application for condonation of delay of 9 years and 241 days in preferring substantive Appeal against the conviction.

2) Learned Advocate for the Applicant submitted that, the impugned Judgment and Order was passed on 20<sup>th</sup> November, 2012 and on the date of passing of the impugned Judgment and Order, for want of legal and financial assistance, the Applicant could not prefer Appeal within the period limitation. That, the Applicant subsequently sent a letter to the High Court Legal Services Committee, Mumbai from jail and thereafter the present Advocate came to be appointed by Appointment Order dated 15<sup>th</sup>

September, 2022. The Application along with Appeal immediately thereafter filed on 16<sup>th</sup> September, 2022.

3) In view of above, for the reasons stated in the Application and in the interest of justice, we are inclined to condone the delay.

4) Delay is accordingly condoned and Application is allowed in terms of prayer clause (a).

**(PRAKASH D. NAIK, J.)**

**(A.S. GADKARI, J.)**

SANJIV  
SHARNAPPA  
MASHALKAR

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by SANJIV  
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