

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3312 OF 2022**

IN

CRIMINAL APPEAL (ST) NO. 16457 OF 2022

Arjun Ganya Koli ...Applicant/Appellant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Aashish Satpute for the Applicant.

Ms. P.P. Shinde, APP for the State.

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

DATED : 11 OCTOBER 2022

P.C. :-

By way of present application, the applicant/appellant prays for condonation of delay. The learned counsel appointed to represent the applicant/appellant through legal aid services authority submits before this Court that though the delay of 13 years and 147 days in filing appeal is an inordinate delay but it is bonafide and unintentional. The learned counsel submits that the applicant/appellant hails from tribal area that is village Panose, (Adivasiwadi), Taluka Mangaon, District Raigad.

2. The learned counsel submits that due to the poor financial condition, the family of the applicant was unable to take appropriate steps to file appeal. The applicant could file appeal only after he got assistance through the legal aid services. The learned counsel submits that the applicant/appellant has good case on merit and has every hope to succeed in the appeal.

3. The learned APP submits that the delay of 13 years and 147 days is an inordinate delay and therefore, the same may not be condoned.

4. For the reasons stated in the application and as the delay in filing appeal is against the Judgment and Order of conviction, application is allowed and delay is condoned.

(N.R. BORKAR, J.)

(PRASANNA B. VARALE, J.)