

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

**INTERIM APPLICATION NO.3380 OF 2022
IN
CRIMINAL APPEAL (ST) NO.16583 OF 2022**

Dhiraj @ Dhiru Prakash Panchal Applicant

versus

State of Maharashtra & Anr. Respondents

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- Mr. Shailesh Arjun Chavan (Appointed Advocate) for Applicant.
- Mr. S. R. Agarkar, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 10th OCTOBER, 2022**

P.C. :

1. This is an application for condonation of delay of 5 years and 142 days in filing the Appeal against the Judgment and Order dated 22/02/2017 passed by the Sessions Judge, Greater Mumbai, in Sessions Case No.78 of 2014 along with Sessions Case No.537 of 2014.

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2. The application mentions that the Applicant had approached the High Court Legal Services Committee for

preferring Appeal. Learned counsel for the Applicant submitted that he was not in a financial condition to file private Appeal by engaging private advocate. Therefore there is delay in filing the Appeal.

3. Learned counsel as well as learned APP pointed out that the office noting shows that there are other connected Appeals of co-accused which are already admitted in the year 2017 itself.
4. Considering these submissions, in the interest of the justice, since the Appeals of the other co-accused are to be heard, even Applicant's case in his Appeal can be heard. Therefore delay in filing the Appeal is condoned.
5. The application is disposed of.
6. The office shall process the Appeal further.

(SARANG V. KOTWAL, J.)