

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

**INTERIM APPLICATION NO. 4367 OF 2022
IN
CRIMINAL APPEAL (ST) NO. 21832 OF 2022**

Sarfraj Sherkhan Pathan ..Applicant.
Versus
The State of Maharashtra ..Respondent

Mr. Shahbaz Pathan a/w. Hemant Sharma for Applicant.
Mr. S. R. Agarkar, APP for State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 20th DECEMBER 2022**

PC :

1. This is an application for condonation of delay of 279 days in filing criminal appeal. The Applicant was convicted by learned Additional Sessions Judge-8, Nashik vide his Judgment and order dated 11/01/2022 in Sessions Case No.163 of 2019 for commission of offence punishable U/s.186 of the I.P.C. and was sentenced to pay a fine of Rs.500/- and in default of payment of fine to suffer S.I. for 15 days. The applicant has already paid the fine.

2. Learned counsel for the applicant submitted that, he was

not aware of his right to prefer an appeal even after payment of fine. At around the same time, his mother had passed away and, therefore, he could not take immediate legal advise and therefore, there is delay of 279 days in filing the Appeal.

3. Considering these submissions and in the interest of justice, delay of 279 days in filing the Appeal is condoned.

4. The application is disposed of.

(SARANG V. KOTWAL, J.)