

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO.53 OF 2022 IN
CRIMINAL APPEAL STAMP NO.306 OF 2022

Vishal Sahadev Gawai Vs. The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri N.B. Badar, Advocate for applicant.
Shri S.S. Doifode, APP for non-applicant.

CORAM : V.M. DESHPANDE AND
AMIT BORKAR, JJ.

DATE : 25th MARCH, 2022.

This is an application for condonation of delay in preferring the appeal.

2. Though this application is coming for the first time, this application can be decided and disposed of today itself.

3. The applicant is convicted by the learned Additional Sessions Judge, Akola dated 04.10.2021 in Sessions Trial No.111 of 2018 for the offence under Section 302 of the Indian Penal Code. He sentenced to suffer life imprisonment. The applicant is in jail.

4. Shri N.A. Badar, learned counsel for the applicant submitted that the delay is of 38 days.

5. Looking to the fact that the applicant is in jail that cannot be in impediment to allow this application by condoning the delay.

6. Learned Additional Public Prosecutor Shri S.S. Doifode also fairly consented for the same.

7. Hence, we pass following order:

ORDER

The application is allowed. Delay of 38 days is condoned. Appeal be registered.

CRIMINAL APPEAL NO. _____ OF 2022

8. Heard learned counsel for the appellant.

9. **Admit.**

10. Shri S.S. Doifode, learned Additional Public Prosecutor waives service of notice for respondent.

JUDGE

JUDGE

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