

JPChavan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**905 CRIMINAL APPLICATION NO.741 OF 2023
IN
CRIMINAL APPEAL ST. 1799 OF 2023**

**MOTIRAM KARNU TODSAM (C-9695)
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicant :Mr. Tungar Nikhilesh K.
APP for Respondent State: Mr. A. V. Deshmukh

**CORAM : SMT. VIBHA KANKANWADI &
Y. G. KHOBRAGADE, JJ.**

DATE : 8th March, 2023

ORDER:

1. The present application is filed for condonation of delay of 105 days caused in filing criminal appeal. The present applicant is original accused in Sessions Case No. 207 of 2019 who has been held guilty of committing offence nonpunishable under section 302 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for life and to pay fine of Rs.1000/-, in default to suffer one month rigorous imprisonment, by the learned Sessions Judge, Nanded on 24.08.2022.

2. Learned APP waives notice for the respondent-State.

3. As the appeal is substantive right and the applicant is in jail, for the reasons stated in the application, the delay stands condoned. The application stands allowed and disposed of.

4. Registry to verify and register the criminal appeal.

(Y. G. KHOBRAGADE, J.)

(SMT. VIBHA KANKANWADI, J.)