

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

CRIMINAL APPLICATION NO.1317 OF 2023

ANIKET MAHENDRA DABHADE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Mr. Somnath G. Ladda Advocate for Applicant.
Mrs. V.S. Choudhari, A.P.P. for Resp. No.1.
Mr. A.L. Kanade Advocate for Resp. No.2.
...

**CORAM: SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATE : 15th JUNE, 2023

ORDER :

1. Present Application has been filed for getting 40 days delay condoned in filing criminal appeal.
2. Heard learned Advocate Mr. Ladda appearing for the applicant, learned APP Mrs. Choudhari appearing for State and learned Advocate Mr. Kanade appearing for respondent No.2.
3. Though the learned APP and learned Advocate appearing for respondent No.2 strongly object, the fact remains is that it

appears that the present appellant, instead of filing appeal under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, preferred Bail Application No.356 of 2023 before this Court. Thereafter the learned Single Bench has passed the order for converting the same into criminal appeal. Thereafter also it appears that certain delay has been occurred, but the calculation of delay appears to be from the date of the order passed by the learned trial Court. Under such circumstance, if the applicant had mistakenly knocked the other door of this Court, he need not be deprived of. The reasonable ground has been shown and therefore the delay stands condoned.

4. The Application stands allowed and disposed of. Registry to verify and register the Criminal Appeal.

5. Place the Criminal Appeal for hearing on 19th June 2023, along with Criminal Appeal No.398 of 2023.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE