

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 CRIMINAL APPLICATION NO.3165 OF 2022
IN APPEALST/8703/2022

NIVRUTTI NAGORAO HANGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. M.L. Deoda, Advocate for applicant
Mr. S.J. Salgare, APP for respondent No.1

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

DATE : 26th SEPTEMBER, 2023

ORDER :

1 Present application has been filed for condonation of delay of 137 days in filing criminal appeal. Though the informant/victim has been made as party in view of the fact that compensation has been awarded; yet, she may not be necessary party for condonation of delay and, therefore, we are not inclined to issue notice to respondent No.2. Learned APP waives notice for respondent No.1.

2 The appellant appears to be behind the bars since the date of his

arrest in 2016. The appeal is a substantive right for the convict to challenge his conviction and, therefore, good grounds are shown for condoning the delay.

3 Application, therefore, stands allowed and disposed of.

4 Registry to verify and register the appeal.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)

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