

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

**909 CRIMINAL APPLICATION NO.3227 OF 2023
IN APPEALST/8931/2023**

**IMRANKHAN HUSSEIN KHAN
VERSUS
THE STATE OF MAHARASHTRA**

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**WITH
CRIMINAL APPLICATION NO.3294 OF 2023
IN APPEALST/9119/2023**

**USMAN KHAN ISMAIL KHAN
VERSUS
THE STATE OF MAHARASHTRA**

**WITH
APPLN/2366 OF 2023 IN APPEAL/581/2023**

**WITH
APPEAL/581/2023**

**WITH
APPLN/3228/2023 IN APPEALST/8931/2023**

**WITH
APPLN/3295/2023 IN APPEALST/9119/2023**

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Advocate for Applicants in Application Nos.3227/2023, 3228/2023,
3294/2023 & 3295/2023 : Mr.R.P.Patwardhan h/f. Mr.S.S.Jadhav

Advocate for Applicant in Application Nos.2366/2023 :
Mr. Nikhilesh K. Tungar

Advocate for Respondent No.2 : Mr.Mahesh S.Bhosale
APP for Respondent : Mr.A.M.Phule

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

DATE : 8 SEPTEMBER, 2023

PER COURT :-

1. Criminal Application Nos.3227 of 2023 and 3294 of 2023 have been filed by original accused nos.3 and 2 respectively for

condonation of delay in filing their criminal appeals. The delay is of 34 days and 35 days respectively.

2. Issue notice to the respondent State. Learned APP waives service of notice for respondent State.

3. It appears that the fine amount has been given as compensation to the widow of deceased and she has been made party to the appeals but not to the applications.

4. Mr.M.S.Bhosale, learned Advocate is appearing for the said respondent no.2 in another appeal. Though he says that he is yet to receive instructions, we hope and trust that he would appear in these matters and then we are asking him to waive service of notice for respondent no.2 in respect of applications for condonation of delay also.

5. The learned APP for respondent State as well as learned Advocate for respondent no.2 have objection yet taking into consideration the reasons stated in the applications, the delay stands condoned. Criminal Application Nos.3227 of 2023 and 3294 of 2023 for condonation of delay stand allowed and disposed of.

6. Registry to verify and register the appeals.
7. Since arguable points are made, the appeals stand “**admitted**”.
8. Issue notice to the respondents. Learned APP waives service of notice for respondent no.1 - State and Mr.Bhosale, learned Advocate waives service of notice for respondent No.2.
9. Record and Proceedings has already been received in connecting appeal.
10. Place the applications for suspension of sentence in all the three matters for further consideration on 26-09-2023.

(ABHAY S. WAGHWASE)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE