

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

**903 CRIMINAL APPLICATION NO.4134 OF 2022
IN APPEAL ST/11491/2022**

SUBHASH DAJI GAVIT
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Avishkar S. Shelke Advocate for Applicant appointed
through Legal Aid.
Mrs.V.S. Choudhari, A.P.P. for Respondent.
...

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

DATE : 13th JULY, 2023

ORDER :

1. Issue notice to the respondent. Learned APP waives notice for the respondent.
2. Present application has been filed for condonation of delay of 1137 days in filing Criminal Appeal. Applicant – original accused has been convicted for the offence punishable under Sections 302 and 324 of the Indian Penal Code in Sessions Case No.38 of 2015 on 26th August 2019 by the learned Sessions Judge, Nandurbar. Present applicant appears to have been given

legal aid through the High Court Legal Services Sub Committee, Aurangabad. Since it is his right to file appeal but because of his financial condition it appears that appellant could not file it earlier, we find that sufficient cause is given for condonation of delay.

3. Hence Application stands allowed and disposed of. Registry to verify and register the Appeal.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JULY23