

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 469 OF 2023****IN****CRIMINAL APPEAL(ST) NO. 1236 OF 2023**

Mohammad Haroon Maqbul Ansari

...Applicant/Appellant

Versus

State Of Maharashtra And Anr.

...Respondent

Ms. Shabana Syed a/w Prashant P. Jadhav Advocate for Applicant/
Appellant.

Mr. Ajay Patil, APP for Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 16th FEBRUARY, 2023.**

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P.C.:-

1. This is an Application for condonation of delay of 4 years and 67 days in preferring present Appeal against conviction of Applicant/Appellant.
2. Learned Advocate for Applicant/Appellant submitted that, on the date of pronouncement of impugned Judgment and Order i.e. on 31st August 2019, the Applicant was taken into custody for undergoing sentence. That, for want of financial and legal Assistance, the Applicant could not immediately prefer Appeal within the period of limitation. She submitted that, in addition thereto, as the wife of Applicant was suffering from terminal ailment, he could not immediately arrange for funds to prefer Appeal before this Court.

3. In view thereof, for the reasons stated in the Application and in the interest of justice delay is condoned and Application is allowed in terms of prayer clause (a).

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)