

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3352 OF 2022****IN****A.L.S. (ST.) NO. 17082 OF 2022**

The State Of Maharashtra

.....Applicant

Vs.

Jakir @ Baba Abdulla Khan & Ors.

.....Respondents

Mr. Ajay Patil, APP, for the Applicant-State and for Respondent No.4-State in Appeal No. 1533 of 2019.

Mr. Manojkumar S. Singh for Appellant in Appeal No. 1533 of 2019.

Mr. Sarfaraj Shaikh i/b. Mr.Sachin Gite for Respondent No.2 in IA/3352/2022 and Appeal/1533/2019.

Mr. Sachin Gawade a/w. Mr.Sahil Ghule i/b. Mr.Mahesh Rawool for Respondent No.3 in IA/3352/2022 and Appeal/1533/2019.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 25th JANUARY, 2023.

PC:-

. This is an Application for condonation of delay of 321 days in preferring present Appeal against acquittal by the State.

2. Record indicates that, on 8th December, 2022 the concerned Advocates appearing for the Respondents had waived notice of the present Application.

Learned Advocates appearing for the Respondents opposed the present Application and submitted that, the State has not offered proper explanation for condonation and therefore the delay may not be condoned and the Application may be dismissed.

3. Perusal of Application would indicate that, sufficient cause is made out for condonation of delay.

4. 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 “9b”.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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