

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3839 OF 2022****IN****CRIMINAL APPEAL (STAMP) NO. 18630 OF 2022**

Sagar Balaji Ekhande

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Prasad B. Kulkarni Advocate appointed for the Applicant.

Mr. Ajay Patil APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 6th MARCH, 2023.****P.C.:-**

- 1) This is an Application for condonation of delay of 2 years and 323 days in preferring present Criminal Appeal against conviction.
- 2) Mr. Kulkarni, learned Advocate appointed to represent Applicant submitted that, Applicant is behind bars since 4th September 2017 and on the date of pronouncement of impugned Judgment and Order i.e. 3rd October, 2019, for want of legal and financial assistance, he could not prefer an Appeal within the period of limitation. He submitted that, thereafter Applicant sent a letter to High Court Legal Services Committee, Mumbai for appointment of an Advocate to represent him and in pursuance

thereof, Appointment Order dated 27th September, 2022 has been issued appointing him for the Applicant by the High Court Legal Services Committee, Mumbai. That, the papers of the present case has been handed over to him on 10th October, 2022 and he thereafter immediately on 21st October, 2022 filed present Appeal. He submitted that, the delay has occurred in the aforesaid process.

3) In view thereof, for the reasons stated in Application and in the interest of justice, delay is condoned and Application is allowed in terms of prayer clause 11 (b).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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