

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3901 OF 2022****IN****CRIMINAL APPEAL (STAMP) NO. 18994 OF 2022**

Dashrath Vitthal Bhangе

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Vinay J. Bhanushali 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 5 years and 6 months in preferring present Criminal Appeal against conviction.
- 2) Mr. Bhanushali, learned Advocate appointed to represent Applicant submitted that, Applicant is behind bars since 7th August, 2015 and on the date of pronouncement of impugned Judgment and Order i.e. 11th May, 2017, 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 19th September, 2022 has been issued appointing him for the Applicant by the Committee. That, as the papers of the present case were not handed over to him at the time of Appointment Order, he could not prefer the Appeal immediately. He submitted that, as soon as he received papers of the present case, he filed the present Appeal on 9th November, 2022. 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 (a).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)