

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL (ST) NO. 19537 OF 2023

Chetan Dadaji Pawar ...Appellant

vs.

The State of Maharashtra and Anr. ...Respondents

**WITH
INTERIM APPLICATION NO. 3828 OF 2023
IN
CRIMINAL APPEAL (ST) NO. 19537 OF 2023**

Chetan Dadaji Pawar ...Applicant

In the matter between

Chetan Dadaji Pawar ...Appellant

vs.

The State of Maharashtra and Anr. ...Respondents

Mr.Divesh Mehari i/b. Mr.Aniket Vagal – Advocate for Appellant.
Mr.S.R.Agarkar – APP for Respondent No.1 – State.
Mr.Ankush Bhausahab Gavali – PSI – Wadner Khakurdi Police
Station.

CORAM : S. M. MODAK, J.

DATE : 11th DECEMBER 2023

P. C. :-

1. Heard learned Advocate for the Appellant – Accused.
2. His regular bail application was rejected by the trial Court on 23rd June, 2021. However, for the reasons stated in the Application, he could not prefer an Appeal. That is why, there is delay in preferring an Appeal.

3. One of the offence is under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ["SC & ST Act"]. If there is an offence under the Indian Penal Code, 1860 ["IPC"], there is no question of time limit. Because, remedy of an Appeal is not there but remedy under Section 439 of the Code of Criminal Procedure, 1973 ["Cr.P.C."] is available. For the reasons, delay needs to be condoned. Hence, prayer is allowed in terms of prayer clause (a). Delay is condoned.

4. Interim Application is disposed of.

CRIMINAL APPEAL (ST) NO. 19537 OF 2023

5. This is a regular bail application. Offence is under Sections 302, 201 read with 34 of IPC and Sections 3(2)(5) of SC & ST Act.

6. Police have already given intimation to Respondent No.2. He has sought for legal aid. Copy of intimation is taken on record and marked as Annexure-X. Respondent No.2 is already served.

7. Let learned Secretary - High Court Legal Services Authority to provide legal aid.

8. Stand over to **22nd December, 2023.**

[S. M. MODAK, J.]