

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4330 OF 2022****IN****CRIMINAL APPEAL(ST.) NO. 20942 OF 2022**

Pandurang Sudhan Shelar

...Applicant/Appellant

V/s.

State Of Maharashtra And Anr.

...Respondents

Ms. Manisha Devkar a/w Mr. Shankar Katkar for Applicant/Appellant.

Ms. Jayashree Tripathi, Appointed as *amicus curiae* for Respondent No.2.

Mrs. M.H.Mhatre, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 31st JANUARY, 2023.****PC.:-**

. This is an application for condonation of delay of 1 year and 72 days in preferring present Appeal.

2. Learned Advocate for Applicant/Appellant submitted that, the Applicant is behind bars since 10.01.2021. That, on the date of pronouncement of impugned Order and soon thereafter for want of financial and legal assistance, the Applicant could not prefer Appeal within the period of limitation and it is the precise reason for the said delay.

3. Learned *amicus curiae* for Respondent No.2 opposed the Application and submitted that, proper explanation for condonation of the said delay has not been offered by the Applicant and therefore present Application may not be allowed.

4. However, perusal of Application would indicate that, sufficient cause for condonation of delay is made out. In view thereof, for the reasons stated in the Application and in the interest of justice delay is condoned. Application is allowed in terms of prayer clause 6(a).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)