

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (APPA) NO. 431 OF 2023

IN

CRIMINAL APPEAL (ST) NO. 2784 OF 2023

Santosh Daulatro Dahake

Vs.

State of Maharashtra, Thru. PSO Digras, District - Yavatmal

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.S. Shukla (appointed) Advocate for applicant.

**CORAM : VINAY JOSHI, AND
BHARAT P. DESHPANDE, JJ.**
DATE : 11.04.2023.

Heard.

2. This is an application seeking for condonation of delay of 305 days caused in filling of the appeal challenging the order of conviction for the offence punishable under Section 302 of the Indian Penal Code.

3. The applicant is in jail from the date of conviction and due to financial constraints, this application and appeal is came to be filed by providing legal aid.

4. In our view, these are the sufficient grounds to condone the delay.

5. Application is allowed and delay stands condoned.

6. The application disposed of and appeal be registered accordingly.

Criminal Appeal (St) No.2784/2023

Heard.

2. **Admit.**

3. Call for record and proceedings.

4. Issue notice to the respondent, returnable after **summer vacation**.

5. Ms. Nandita Tripathi, learned APP waives service of notice on behalf of respondent/State.

Criminal Application (APPA) (ST) No.2786/2023

This is an application seeking for suspension of execution of sentence in terms of Section 389 of the Code of Criminal Procedure.

2. Issue notice to the respondent, returnable after **summer vacation**.
3. Ms. Nandita Tripathi, learned APP waives service of notice on behalf of respondent/State.
4. This application will be considered after receipt of record and proceedings.

JUDGE

JUDGE