

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

CRIMINAL APPLICATION (APPA) NO. 753 OF 2023
IN
CRIMINAL APPEAL (ST) NO. 3300 OF 2023

Yadavrao Arjunrao Dongare
Vs.

State of Maharashtra, Thru. PSO, PS Civil Lines, Tq. & Dist. Akola and anr.

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

Court's or Judge's Orders.

Ms. Vidya Khobragade, Advocate h/f Mr. D.A. Sonwane,
Advocate (appointed) for applicant.
Mr. N.R. Rode, APP for respondent/State.

CORAM : VINAY JOSHI, AND
VALMIKI SA MENEZES, JJ.

DATE : 26.07.2023.

Heard.

2. This is an application seeking condonation of delay caused in filing appeal raising challenge to the judgment and order of conviction dated 09.06.2021 passed in Sessions Trial No.7/2019.

3. It is brought to the notice that the same convicted accused has already filed Criminal Appeal No.349/2021, which is pending on the file.

4. It appears that despite pendency of earlier appeal filed by convicted accused through Advocate of his choice, still he has applied for Legal Aid, who in turn preferred this application with appeal raising challenge to the same judgment and order.

5. In view of above, appeal filed through Legal Aid with delay condonation would not survive as the substantial appeal filed by accused through Advocate of his choice is pending.

6. The application stands disposed of accordingly.

7. Fees of appointed learned counsel be paid as per rules.

JUDGE

JUDGE