

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

**CRIMINAL APPLICATION (APPA) NO. 590/2023 IN**  
**CRIMINAL APPEAL (STAMP) NO. 3816/2023**

MILIND S/O. SUKHDEORAO TAYDE  
VS  
STATE OF MAH. THR. PSO, PS BADNERA, DIST. AMRAVATI.

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Mr S.B. Gandhe, Advocate for the applicant/appellant.

Mr I.J.Damle, APP for the respondent/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 09/06/2023.**

1. Heard.
2. This is an application for the condition of delay in preferring the appeal against the judgment and order of sentence passed in Sessions Case No. 15/2019.
3. As per the contention of the applicant, the applicant has challenged the judgment and order of sentence passed in Sessions Case No. 15/19 by which he is convicted under section 352 of the Indian Penal Code. Inadvertently, the delay of one day has been caused in filing the criminal appeal. The delay is not an intentional one, and hence it is condoned.
4. Learned APP waives service of notice and objected for the condonation of delay.

5. Heard both the sides.

6. The only ground mentioned in the application is that inadvertently, one day delay is caused in preferring the appeal. It is well settled that while considering the delay application, the liberal approach is to be adopted, and the pedantic approach is not appreciated. Considering the reason mentioned in the application, the delay is properly explained.

7. In view of the above, the criminal application is allowed. Delay is condoned, subject to the cost of Rs.1000/- to be paid with the High Court Bar Association, Nagpur. On payment of costs, the Criminal Appeal be registered.

**CRIMINAL APPEAL (STAMP) NO. 3816/2023**

1. Heard.

2. Admit.

3. Call for record and proceedings.

4. Appeal be placed before the Court after filing of paper-book.

**JUDGE**