



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.5397 OF 2017 IN
CRIMINAL APPEAL ST. NO.502 OF 2017**

The State of Maharashtra ... **APPLICANT**

VERSUS

Vijay Shantaram Patil ... **RESPONDENT**

.....
Mr. S.J. Salgare, A.P.P. for applicant State
Mr. Dhawal Agarwal, Advocate holding for
Mr. A.K. Bhosle, Advocate for appellant

.....

WITH

CRIMINAL APPEAL NO.218 OF 2017

Vijay Shantaram Patil ... **APPELLANT**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Mr. Dhawal Agarwal, Advocate holding for
Mr. A.K. Bhosle, Advocate for appellant
Mr. S.J. Salgare, A.P.P. for State

.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 11th NOVEMBER, 2024

ORDER :

Criminal Application No.5397/2017 is for
condonation of 90 days delay in preferring appeal by the State
for enhancement of sentence.

2. Heard learned Addl. P.P. for the State. Issue notice to the respondent returnable forthwith. Learned Advocate Mr. Dhawal Agarwal holding for learned Advocate Mr. Bhosle waives service for the respondent.

3. Heard learned A.P.P. for the State and learned Advocate for the respondent. For the reasons given in the application, we allow the Criminal Application No.5397/2017 in terms of prayer clause (B).

4. Issue notice to respondent in Criminal Appeal Stamp No.502/2017. Learned Advocate Mr. Dhawal Agarwal holding for learned Advocate Mr. Bhosle waives service for the respondent.

5. By consent of learned Advocate for both the sides, the Criminal Appeal No.218/2017 be fixed for final hearing on 14th November 2024.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-