

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4113 OF 2023
IN
CRIMINAL APPEAL (St) NO. 18709 OF 2023

Appa Bhojappa Chavan .. Applicant
Versus
State Of Maharashtra .. Respondent

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None for the Applicant.

Mr. S. V. Gavand, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 11th JUNE, 2024

P.C:-

1. There is a delay of 275 days in filing an Appeal by which the Appellant who is convicted by the Additional Sessions Judge at Solapur, by the Judgment and Order dated 03.11.2022 in Sessions Case No. 106 of 2020, having being found guilty of the offence punishable under Sections 302 and 201 of the IPC.

2. Though Advocate Mr. Manoj Kumar Thakur was appointed through Legal Aid, he has failed to mark his appearance.

With the able assistance of the learned A.P.P. we

have perused the Application and the Application in paragraph Nos.3 to 6 have offered the explanation for delay, which is likely attributed to the counsel who was appointed to draft the Appeal and present before the Court.

Since the delay can not be attributed to the Appellant who has suffered a conviction and since it is his right to file an Appeal and being heard, we deem it appropriate to allow the Application by condoning the delay of 275 days in filling the Appeal.

Interim Application is made absolute in terms of prayer clause "c".

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)