

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3723 OF 2023
IN
CRIMINAL APPEAL STAMP NO.16198 OF 2023**

Datta Mahadev Suryawanshi ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Ms. Anjali Singh, for the Applicant.
Mrs. A. R. Tidke, APP for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 7th MARCH, 2024

PC.

1. Though the notice is issued on 11th January, 2024, till now the report of service of notice on Respondent No.2 is not received. This Application is for condonation of delay of 77 caused days in filing the Appeal. The Applicant is in jail. This Court is taking up this Application for condonation of delay, though the report of service is not received. The reason assigned for the delay is that the learned advocate who was instructed to file Appeal could not file the same because of some medical ailment. The delay is not intentional and deliberate.

2. Considering the reason assigned for delay, Application needs to be allowed. Delay of 77 days caused in filing Appeal stands condoned.

3. The Application stands allowed and disposed of.

[KISHORE C. SANT, J.]