

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1401 OF 2024
IN
CRIMINAL APPEAL (ST) NO.7585 OF 2023

Mubasheer Mujib Sayyad @ Vakil ... Applicant

V/s.

State of Maharashtra ... Respondent

Mr. M.S. Mulla I.by Mr. Tapan Thatte , for the applicant.

Mr. A.R. Metkari, APP, for the State.

CORAM : KISHORE C. SANT, J.

DATE : 16TH APRIL 2024.

PC:

1. This application is received through jail. The application is seeking condonation of delay caused in filing the appeal challenging the judgment and order of conviction and sentence awarded by the learned Additional Sessions Judge, and Special Judge under MCOC/NIA/POTA Act, Greater Mumbai in MCOC Special Case No. 1 of 2016 by way of judgment and order dated 16/09/2022. It is stated in the application that the applicant is mentally disturbed since he was found guilty. In the jail he could not immediately get legal assistance. He also could not contact any lawyer to instruct him to file appeal. There is only widowed mother in his family and therefore, she also could not make any arrangement of filing any appeal. The delay is of

167 days.

2. Heard learned APP.

3. For the reasons stated and since this application is by accused who is presently in jail, this Court is inclined to allow the application. The application thus allowed.

4. Delay is condoned.

5. Application stands disposed of.

6. Legal Services Authority is requested to appoint lawyer to prepare and file proper appeal in this Court.

(KISHORE C. SANT, J)