

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

**CRIMINAL APPLICATION (APPA) NO.11 OF 2024**

(Akhilesh Parasram Zaria Vs. The State of Maharashtra thr. its PSO PS Butibori,  
Nagpur)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Mr. R. A. Bhoyar, Advocate for Applicant.

**CORAM: M. W. CHANDWANI, J.**

**DATE: 15<sup>th</sup> JANUARY, 2024.**

This is an application for condonation of delay of 510 days in preferring the appeal against the order of conviction.

2. The order dated 08.04.2022 passed by the learned Additional Sessions Judge-2, Nagpur in NDPS Special Case No.50/2022 is under challenge. The reason for the delay is that the applicant is behind the bar since the date of his arrest, therefore, he could not file appeal. The family member of the applicant are illiterate persons and does not know the procedure of law. In that situation, the appeal could not be preferred.

3. Considering the fact that criminal appeal is a statutory right and for the reasons mentioned in the application, the delay of 510 days caused in filing the appeal is condoned. The application is allowed and disposed of accordingly.

Appeal be registered.

**CRIMINAL APPEAL STAMP NO.93/2024:**

Heard.

2. **Admit.**
3. Issue notice to the non-applicant, returnable within two weeks.
4. Mr. S. A. Ashirgade, learned A.P.P. waives service of notice on behalf of non-applicant/State.
5. Call for record and proceedings.

**CRIMINAL APPLICATION (APPA) STAMP NO.95/2024:**

Learned A.P.P. for the non-applicant/State seeks time to file reply. Time granted.

2. Stand over to 29.01.2024.

**JUDGE**

NSN