

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

CRIMINAL APPLICATION (APPA) NO.173 OF 2024 IN
CRIMINAL APPEAL STAMP NO.1323 OF 2024

Dharmendra s/o Charandas Mendhe Vs. State of Maharashtra

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

Court's or Judge's orders.

Shri J.S. Chilotra, Advocate for applicant.
Shri Aalap Palshikar, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.

DATE : FEBRUARY 13, 2024.

Heard.

2. By this application, the applicant seeks condonation of delay of 62 days caused in filing the appeal.

3. It is submitted that the appellant is behind bar since the date of conviction and he has been served with the copy of judgment in jail. The applicant could not contact his counsel in time and therefore delay occurred. It is submitted that delay is not intentional and malafide one hence prays for condonation of delay.

4. Learned APP by waiving notice on behalf of non-applicant/State objected the application.

5. In view of above and for the reason mentioned in the application, the delay being trivial delay and not intentional one, delay of 62 days is hereby condoned. Registry to register the appeal.

6. The application stands disposed of.

CRIMINAL APPEAL STAMP NO.1323 OF 2024

7. Heard.

8. **Admit.**

9. Learned APP waives service of notice of hearing on behalf of respondent/State.

10. Call R&P.

CRIMINAL APPLICATION STAMP (APPA) NO.1324 OF 2024

11. This is an application for suspension of sentence.

12. Learned APP seeks time to file reply.

13. At his request, stand over two weeks.

JUDGE

Wagh