



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.571/2024

IN

CRIMINAL APPEAL NO. /2024

(Vishnu S/o Kashiram Badge 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

Mr. T.A. Mirza, Advocate (appointed) for the applicant/appellant.

CORAM: SMT. VIBHA KANKANWADI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 25.6.2024.

Heard learned Advocate appearing for the applicant.

2. Issue notice to the non-applicant.

3. Mr. Nikhil Joshi, learned A.P.P. waives notice for non-applicant/State.

4. Present application has been filed under Section 5 of the Limitation Act for condoning the delay of 262 days in filing criminal appeal.

5. Perusal of the impugned judgment would show that the appellant has been convicted for the offence punishable under Section 302 of Indian Penal Code for murder of two persons by learned Additional Sessions Judge, Mehkar, District Buldhana in Sessions Trial No.461/2019 on 26.7.2023. It is stated that the applicant is in jail from 2.3.2018. Under said circumstance, for the reasons stated in the application, it is allowed and disposed of. The delay stands condoned. Registry to verify and register the appeal.

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6. As the appellant has been convicted for the offence

punishable under Section 302 of Indian Penal Code and two persons appears to have been murdered as per the prosecution story, for the points raised on behalf of the appellant, the appeal is **admitted**.

7. Issue notice to the respondent.

8. Mr. Nikhil Joshi, learned A.P.P. waives notice for respondent/State.

9. Call R & P with paper book to be made returnable on 2.9.2024.

(MRS.VRUSHALI V.JOSHI,J.)

(SMT. VIBHA KANKANWADI,J.)