



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

Criminal Application [APPA] No.751 of 2023

in

Criminal Appeal No.472 of 2023

Rama Sabu Uikey

vs.

*The State of Maharashtra, through Police Station Officer, P.S. Katol, District Nagpur
and another*

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. A.K. Sorde, Advocate for the Applicant/Appellant.

Mr. S.A. Ashirgade, A.P.P. for Non-Applciant/Respondent No.1.

Mr. N.P. Singhania, Advocate for Non-Applciant/Respondent No.2.

CORAM : M.W. CHANDWANI, J.
DATE : 3rd JANUARY, 2024.

This is an application for condonation of delay of 131 days in preferring the appeal against the order of conviction.

02] It appears that the concerned department has directly registered the appeal without there being an order passed by this Court of condonation of delay. When the officials of the department were confronted, they have given excuse of inadvertence.

03] Be that as it may, there is a delay of 131 days in preferring the appeal. It is averred in the application that since the appellant was in judicial custody, he could not contact with his family members for engaging a lawyer, so also due to poor financial condition, he could not arrange the funds for payment of court fees and, therefore, the delay is caused in preferring the appeal.

04] The learned A.P.P. and the learned Counsel appearing on behalf of respondent No.1 and respondent No.2, respectively, have opposed the application.

05] For the reasons mentioned in the application, the delay of 131 days caused in filing the appeal is condoned. The application is allowed and disposed of accordingly.

Criminal Appeal No.472/2023:

Heard.

02] **Admit.**

03] Mr. S.A. Ashirgade, learned A.P.P. waives service of notice for respondent No.1 and Mr. N.P. Singhania, learned Counsel waives for respondent No.2.

04] Call for record and proceedings.

05] Stand over after three weeks.

JUDGE