



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

CRIMINAL APPLICATION (APPA) NO.1151 OF 2024

[Dilip Vasudeo Raut ..Vs.. State of Maharashtra]

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

Court's or

Mr K. G. Rathi, Advocate for Applicant.
Mr U. Phasate, APP for Non-Applicant/State.

CORAM : SMT. M. S. JAWALKAR AND
M. W. CHANDWANI, JJ.

DATE : 29th NOVEMBER, 2024.

1. Heard.
2. By the present application, the applicant is seeking condonation of delay of 304 days caused in filing the appeal.
3. The contention is that the applicant/appellant has been convicted and sentenced to suffer life imprisonment and to pay a fine of Rs.10,000/- and in default of payment of fine, he shall suffer rigorous imprisonment for twelve months. Further contention is that there is no competent person in the family of the appellant to assist him to file the appeal against the impugned judgment and order. When he came to know that he can get legal assistance from the High Court Legal Services Sub-Committee, Nagpur, he moved an application for grant of legal aid for filing the appeal. Accordingly, the legal aid was provided to the appellant and the appeal is prepared, wherein the delay of 304 days is caused in filing the appeal. The appellant is in jail since long period.

4. Since the appeal is a statutory right, the substantial justice cannot be denied for technical reason. Considering the fact that there is no competent person in the family of the appellant to assist him and the appellant is in jail since long period, the delay of 304 days caused in filing the appeal is hereby condoned.

5. The criminal appeal be registered and numbered accordingly.

6. The criminal application stands disposed of.

CRIMINAL APPEAL (ST) NO.9597 OF 2024.

7. Heard.

8. Issue notice to the respondent, returnable within three weeks.

9. Mr Phasate, learned Additional Public Prosecutor, waives notice for respondent/State.

CRIMINAL APPLICATION NO.1154 OF 2024.

10. Heard.

11. Learned APP seeks time to file reply. Stand over to three weeks.

(M. W. CHANDWANI, J.) (SMT. M. S. JAWALKAR, J.)