



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (APPA) NO. 1199 OF 2024

Komal s/o Gyaniram Kirnapure Vs State of Maharashtra and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.M.Daga, counsel for applicant.

Mr. Nitin Autkar, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 11/12/2024.

1. By this application, the appellant is seeking condonation of delay of 439 days, which is caused in preferring the appeal under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.
2. Learned counsel for the appellant submitted that appellant is behind bars since three and half years, and there is nobody to look-after for his defence. He has not sufficient means for engaging the counsel and preferring the appeal, and therefore, delay of 439 days is caused.
3. Learned APP strongly opposed the said application.
4. Considering the appellant is behind bar for the last three and a half years and there is nobody to look after his defence. Considering all these aspects and considering satisfactory reason, the delay of 439 days deserves to be condoned. In view of that, the application is allowed. Delay is condoned.

Criminal Appeal Stamp No. 9829/2024

1. Appeal be registered.
2. On registration of the appeal, notice be issued to respondent No.2.
3. Learned APP waives service of notice on behalf of respondent/State and seeks time to file reply.
4. The Police Station Officer, Police Station Dawniwada, Tah. Tiroda, District Gondia shall intimate the respondent No.2.
5. One of the grounds raised by the present appellant is delay in trial. In view of that, call the status report of the trial from the District Judge-1 and Additional Sessions Judge-1, Gondia.
6. List the appeal after Vacation.

[URMILA JOSHI-PHALKE, J.]