



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

CRIMINAL APPLICATION (APPA) NO. 359 OF 2024

Rashtrapal S/o. Rajaram Wankhede

Vs.

State of Maharashtra

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

Court's or Judge's Order

Shri S. G. Karmarkar, Advocate for applicant.
Shri Aditya J. Gohokar, APP for non-applicant/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 15.04.2024

Heard the learned counsel for the applicant
as well the learned APP for the State.

2. By the present application, the applicant is
seeking condonation of delay of 1487 days in preferring
the criminal appeal.

3. The contention is that the applicant was
taken into custody immediately after the judgment of
conviction was pronounced. It is also contended that he
engaged one Advocate, who had assured him that he will
file appeal but, recently he came to know that no appeal
came to be filed. Hence, he is intending to file the
present appeal and submits that the delay caused is not
an intentional one.

4. For the reason mentioned in the application, coupled with the fact that appeal is a statutory right, the application is allowed.

5. The delay caused in preferring the appeal is hereby condoned. The appeal be registered.

CRIMINAL APPEAL (ST) NO. 2951 OF 2024

6. Heard.

7. **Admit.**

8. The learned APP waives service of notice for the respondent/State.

9. Call record and proceedings.

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10. The learned APP for the State seeks time to file reply.

11. Stand over two weeks.

(M. W. CHANDWANI, J.)