



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

CRIMINAL APPA NO.696 OF 2024(DELAY)

IN

CRIMINAL APPEAL ST. NO.5961 OF 2024

Roshan s/o Sheshrao Kinnake (in Jail)

(Vs.)

The State of Maharashtra, thr. P.S.O, Pulgaon Tah. Deoli Dist. Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. M.V. Rai, Advocate for appellant/applicant.

Ms. Hemlata Dhande, APP for respondent/State.

CORAM : G.A. SANAP, J.

DATE : 30.07.2024

1. Issue notice to the respondent.
2. Learned APP waives service of notice on behalf of respondent/State.
3. Heard finally with the consent of learned Advocates for the parties.
4. Appellant on conviction has been sentenced to suffer rigorous imprisonment for 10 years and to pay a fine of Rs.10,000/-. It is stated that on the date of the judgment, the accused has

been in jail. He filed the appeal within limitation. He has no relative who could look after this matter in his absence.

5. Learned Advocate submitted that since 10 years substantive sentence has been awarded, the appellant deserves an opportunity of adjudication of his appeal on merits.

6. Learned APP submitted that the Court may pass an appropriate order.

7. I have perused the application and reasons stated in the application. In my view, on the basis of the reasons stated in the application, the case has been made out for condonation of 91 days delay in filing appeal against the impugned judgment and order. According, delay is **condoned**. The appeal be registered.

8. The application stands disposed of, accordingly.

CRIMINAL APPEAL

1. **ADMIT.**

2. Learned APP waives service of notice on behalf of respondent/State.

3. Call record and proceedings.

APPA ST. NO.5963 OF 2024

1. Heard.
2. Issue notice to the respondent, returnable within three weeks.
3. Learned APP waives service of notice on behalf of respondent/State.
4. Three weeks' time is granted for filing reply.

JUDGE