

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3448 OF 2024
IN
CRIMINAL APPEAL(ST) NO. 16445 OF 2024**

Hassan Ali Pathan @ Mithun	...Applicant
Versus	
State Of Maharashtra	...Respondent

.....

Mr. Pradeepkumar L. Pardeshi a/w Anushka I. Martis a/w Sagar
Kasavkar, Advocate for the Appellant/Applicant.
Ms. Kranti T. Hiwrale, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL &
ADVAIT M. SETHNA, JJ.**

DATE : 22th AUGUST 2025

P.C. :

1. This Application is filed for condonation of delay of 99 days in filing the present appeal. The Appeal arises from judgment and order dated 22nd February 2024, passed in Session Case No. 309 of 2015 by the Sessions Court at Dindoshi. The Applicant has been convicted for the offence punishable under Section 302 of the Indian Penal Code, 1860. The applicant is in custody since 28th

October 2015.

2. Learned counsel for the Applicant submits that the Applicant comes from a humble financial background and was not able to engage a private advocate. The Legal Service Authority of this Court was directed to appoint an advocate to represent the Applicant. This process took sometime. He submits that, the delay is neither deliberate nor intentional. If such delay is not condoned, it would cause grave prejudice to the applicant.

3. The learned APP does not seriously object to the Application.

4. In the above circumstances and in the interest of justice, the delay of 99 days in filing the Appeal deserves to be condoned by passing the following order:-

O R D E R

I. The Application is allowed in terms of prayer clause (a).

II. The Appeal be processed further.

III. The Application is accordingly Disposed of.

(ADVAIT M. SETHNA, J.)

(SARANG V. KOTWAL, J.)