

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL (ST) NO.1845 OF 2025

WITH

INTERIM APPLICATION NO.405 OF 2025

WITH

INTERIM APPLICATION NO.404 OF 2025

IN

CRIMINAL APPEAL (ST) NO.1845 OF 2025

Dhiraj Jogindar Kanojia

...Appellant

Versus

State of Maharashtra & Anr.

...Respondents

WITH

INTERIM APPLICATION NO.2540 OF 2025

IN

CRIMINAL APPEAL (ST) NO.1845 OF 2025

Dhiraj Jogindar Kanojia

...Applicant

Versus

State of Maharashtra

...Respondent

Ms. Farhana Shah, a/w Advocate Amna Khan, for the
Appellant/Applicant.

Mr. S. H. Yadav, APP for the Respondent-State.

Mr. Ayubkhan Pathan, PSI, Sion Police Station, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 17th JULY 2025

P.C.:

Interim Application No.404 of 2025

1. The Interim Application is filed seeking condonation of delay of 3 years 62 days in filing the present Appeal.

2. Ms. Shah, learned Counsel appearing for the Applicant states that Applicant i.e. Accused No.2 came to be arrested on 20th June, 2017 and he is in custody since then. She further states that the co-accused i.e.

Accused No.1 and Accused No.3 have filed Criminal Appeal No.387 of 2022 and Criminal Appeal No.437 of 2022 and by Judgment and Order dated 15th July, 2024 and 16th July, 2024 passed by a learned Single Judge the impugned Judgment and Order of conviction and sentence dated 17th September, 2021 passed by the learned Sessions Judge, Bombay in MCOC Special Case No.11 of 2017 against the Accused Nos. 1 and 3 is set aside and Accused Nos. 1 and 3 are acquitted from all the charges. She therefore states that, the case is made out for condonation of delay.

3. Mr. Yadav, learned APP states that delay is of 3 years and 62 days and therefore, the same be not condoned.

4. However, in view of the facts and circumstances, for the reasons set out in the Interim Application, the same is allowed in terms of prayer clause (a).

Criminal Appeal (St) No.1845 Of 2025

5. Heard.

6. Admit.

7. List the Criminal Appeal for final hearing on 18th July, 2025 along with Criminal Appeal No.387 of 2022 and Criminal Appeal No.437 of 2022.

8. Stand over to 18th July, 2025 at 12:30 p.m.

[MADHAV J. JAMDAR, J.]