

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

**INTERIM APPLICATION NO.1642 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.9152 OF 2025**

Amitkumar Lavkush MouryaApplicant
Versus
The State of MaharashtraRespondent

Mr. Kartik S. Garg, Advocate (appointed by Legal Aid) a/w.
Aashka Shell for the Applicant.

Ms. Geeta P. Mulekar, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 09th JUNE, 2025

P.C. :

1. This is an Application for condonation of delay of 133 days in filing the Appeal against the judgment and order dated 11.10.2024 passed by the Additional Sessions Judge, Kalyan, District-Thane in Sessions Case No.267/2015.

2. Heard Mr. Kartik S. Garg, learned appointed counsel for the Applicant and Ms. Geeta Mulekar, learned APP for the Respondent No.1-State.

3. Learned counsel for the Applicant submitted that

the Applicant is in custody since January, 2015. He had no financial means to engage a private Advocate. There was no one to look after his interest and, therefore, the Appeal is filed with the help of Legal Services Authority. He submitted that in the interest of justice the delay be condoned.

4. Learned APP left the matter to the discretion of the Court regarding condonation of delay.

5. Considering these submissions and in the interest of justice, we are inclined to allow this Application. Hence, the order :

:: O R D E R ::

- i. The Application is allowed.
- ii. The delay of 133 days in preferring the Appeal is condoned. The Appeal be processed further.
- iii. Interim Application is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)