

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

**INTERIM APPLICATION NO.1678 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.9383 OF 2025**

Somnath Jivan MitraApplicant
Versus
The State of MaharashtraRespondent

Mr. Shailesh Chavan, Advocate for the Applicant.
Ms. Sharmila S. Kaushik, 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 404 days in filing the Appeal against the judgment and order dated 16.1.2024 passed by the Sessions Judge, Thane in Sessions Case No.341/2019.

2. Heard Mr. Shailesh Chavan, learned counsel for the Applicant and Ms. Sharmila Kaushik, learned APP for the Respondent-State.

3. Learned counsel for the Applicant submitted that the Applicant is in custody since 2019. There is no one to look

after his interest. He was not in a position to prefer the Appeal. Therefore, this Appeal is filed with the help of Legal Services Authority of this Court. Therefore, in the interest of justice the delay may be condoned.

4. Learned APP does not have serious objection for 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 404 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.)