

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

**INTERIM APPLICATION NO.1690 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.9419 OF 2025**

Hiralal Bhabuta MaliApplicant
Versus
The State of MaharashtraRespondent

Mr. P.R. Pandey, Advocate 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 780 days in filing Appeal against the judgment and order dated 7.12.2022 passed by the Additional Sessions Judge, Thane in Sessions Case No.162/2016.

2. Heard Mr. P.R. Pandey, learned counsel for the Applicant and Ms. Geeta Mulekar, learned APP for the Respondent-State.

3. Learned counsel appearing for the Applicant submitted that the Applicant is about 66 years of age. He is in

custody since 2015. The allegation against him is that he had committed murder of his own wife. Considering the nature of allegations, his family members have practically abandoned him and nobody had looked after his interest. The Applicant himself was not in sound financial position and, therefore, the Appeal could not be filed earlier.

4. Learned APP left the matter to the discretion of the Court whether to condone the delay or not.

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 780 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.)