

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

**INTERIM APPLICATION NO.1977 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.11084 OF 2025**

Abhilesh @ Sanu Ramsamuj Rai
and another

.....Applicants

Versus

The State of Maharashtra

.....Respondent

Mr. Ravi Dwivedi, Advocate for the Applicants.

Mr.J.P. Yagnik, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL AND
MANJUSHA DESHPANDE, JJ.**

DATE : 25th JUNE, 2025

P.C. :

1. This is an Application for condonation of delay of 4 years 229 days in filing the Appeal against the judgment and order dated 24.7.2020 passed by the Additional Sessions Judge, Sessions Court, Greater Mumbai in Sessions Case No.650/2012.

2. The Applicants were the original accused Nos.2 & 3. There were in all five accused, out of whom one accused i.e.

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accused No.5 who was sister of the Applicants was acquitted. The other accused were convicted for the offences punishable under Sections 302, 307, 324, 449, 143, 144, 147, 148, 506 Part-II read with 149 of IPC and under Section 3 read with 25 of the Indian Arms Act. The major sentence imposed on them was life imprisonment, besides imposition of fine.

3. Heard Mr. Ravi Dwivedi, learned counsel for the Applicants and Mr.J.P. Yagnik, learned APP for the Respondent-State.

4. Learned counsel for the Applicants submitted that both the Applicants are brothers. They were the earning members. They are in custody since 30.5.2012 and, therefore, they were not in a position to engage an Advocate. He submitted that the Appeal of the co-accused Rakesh Sharma and Sunil Sharma i.e. Criminal Appeal No.406/2020 is already admitted and is pending final disposal before this Court.

5. Learned APP does not have any serious objection for condonation of delay.

6. 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 4 years 229 days in preferring the Appeal is condoned. The Appeal be processed further.
- iii. Interim Application is disposed of accordingly.

(MANJUSHA DESHPANDE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)