

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

**INTERIM APPLICATION NO.1978 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.11109 OF 2025**

Shivam Vedprakash Tiwari

.....Applicant

Versus

The State of Maharashtra

.....Respondent

Mr. Ravi Dwivedi, Advocate for the Applicant.

Mr.S.V. Gavand, 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 359 days in filing the Appeal against the judgment and order dated 21.3.2024 passed by the Additional Sessions Judge, Thane in Sessions Case No.151/2018.

2. The Applicant was the original accused No.1. He along with other two accused was convicted for the offence punishable under Sections 302, 307, 201, 324 read with 34 of IPC. The major sentence imposed on him was life imprisonment besides imposition of fine.

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3. Heard Mr. Ravi Dwivedi, learned counsel for the Applicants and Mr.S.v. Gavand, learned APP for the Respondent-State.

4. Learned counsel for the Applicant submitted that when the incident occurred, he was a student. During pendency of trial, his father passed away. There was no one to look after his family. Therefore, he was not in a position to engage a private Advocate. But, after getting help from others, he filed this Application and Appeal.

5. Learned APP does not have any serious objection for condoning the 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 359 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.)