

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1281 OF 2023
WITH
INTERIM APPLICATION NO. 3830 OF 2025
IN
CRIMINAL APPEAL NO. 1281 OF 2023**

Jamnaprasad Ramgopal Shukla ... Applicant/Appellant No.1

In the matter between:

Jamnaprasad Ramgopal Shukla & anr. ... Appellants

vs.

The State of Maharashtra ... Respondent

Mr. Kartik Garg (appointed by legal aid) for applicant/appellant No.1.

Ms. Pallavi Dabholkar, APP for respondent-State.

Mr. Hussain Shaikh (earlier advocate for appellants).

**CORAM : MANISH PITALE &
MANJUSHA DESHPANDE, JJ**

DATE : 18th NOVEMBER, 2025

P.C. :

. This application has been necessitated due to the fact that the advocate, who had filed this appeal for the appellants, failed to pursue the matter diligently.

2. Record shows that on 07.10.2023, none appeared for the appellants before a Division Bench of this Court (Coram: Revati Mohite Dere and Gauri Godse, JJ), while the delay in filing the application was already condoned by a separate order. Thereupon, the said Division Bench perused the appeal and directed that the same shall stand admitted. Record further shows that record and proceedings and paper-book have been received, thereby indicating that the appeal is ready for hearing.

3. It appears that appellant No.1 was constrained to send a letter to the High Court Legal Services Committee, praying for appointment

of an advocate to represent him in this appeal. In that light, by an order dated 01.07.2025, the Committee appointed Advocate Kartik Garg to appear on behalf of appellant No.1.

4. Since the Registry informed the said Advocate that there cannot be two advocates in a single appeal, the instant application has been filed with a prayer for permission to appellant No.1 to be separated from this appeal, with liberty to file a fresh appeal through the advocate appointed by legal aid.

5. We are of the opinion that such a cumbersome process is not required to be undertaken. As noted hereinabove, this situation would not have occurred, but for the fact that the advocate who had filed this appeal, did not appear in this Court on earlier occasions.

6. Although today Mr. Hussain Shaikh, Advocate who had filed the appeal, appeared and stated that he would appear in the matter, we are not satisfied and hence, we direct that Mr. Hussain Shaikh is discharged from appearing on behalf of the appellant No.2.

7. This application is disposed of by appointing Mr. Kartik Garg to appear on behalf of appellant No.2 (Rahul Uday Mormu) also.

8. The High Court Legal Services Committee shall take necessary steps to assist Advocate Garg for appearing on behalf of appellant No.2 also.

9. In view of the directions given hereinabove, no orders are necessary in this application and it is disposed of as such.

10. Since the appeal is ready for hearing, it shall be included in the list of final hearing matters, for the week commencing 15.12.2025.

(MANJUSHA DESHPANDE, J.)

(MANISH PITALE, J.)