

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO.879 OF 2026****IN****CRIMINAL APPEAL NO.5451 OF 2026**

Asad Khan Jamshed Ali Khan @ Jaheed
@ Kaka @ Mohammed @ Aadil

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Mihir Desai, Senior Advocate a/w. Adv. Sumit Gadling, Adv. Harshali Potdar, Adv. Roshani Naeem Khan, Adv. Alure Mohd. Kasim for the Applicant.

Smt. P. P. Shinde, APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 24th March 2026

P.C.:-

- 1) This is an Application for condonation of delay of 177 days in preferring Appeal against the impugned Order dated 4th August, 2025 passed below Exhibit 686 in M.C.O.C. Special Case No.7 of 2013.
- 2) Learned APP opposed the Application by submitting that, no satisfactory explanation offered by the Applicant for condonation of delay.
- 3) Record indicates that, the Applicant is behind bars for last more

than 13 years. The Applicant hails from a lower economical strata of the society and for want of financial and/or legal assistance, he immediately could not prefer the Appeal against the impugned Order within a period of limitation.

4) In view thereof, for the reasons stated in the Application and in the interest of justice, delay is condoned and Application is allowed in terms of prayer of the Application.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)