

(2012) 09 GUJ CK 0101

In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 8762 of 2012 in Criminal
Appeal No. 600 of 2011

Gandabhai Raghubhai Nirashrit Thakor

APPELLANT

Vs

State of Gujarat

RESPONDENT

Date of Decision : 10-09-2012

Acts Referred:

Citation : (2012) 09 GUJ CK 0101

Hon'ble Judges : Mohinder Pal, J; Jayant M. Patel, J

Bench : Division Bench

Advocate : Tejas P. Satta, for the Appellant; H.K. Patel, APP, for the Respondent

Final Decision : Allowed

Judgement

Honourable Mr. Justice Jayant Patel

1. The present application is for condonation of delay of 469 days in preferring the appeal against the judgement and order passed by the learned Sessions Judge in Sessions Case No. 78 of 2008, whereby the conviction was ordered of the applicant - original accused. We have heard Mr. Satta, learned Counsel for the applicant and Mr. Patel, learned APP for the State.

2. It appears that the convict was in jail during the period of delay and as on today, the convict is in jail. Therefore, no undue benefit is taken by the convict. Further, the grounds mentioned are on account of the family circumstances and we find that the discretion deserves to be exercised for condonation of delay. Hence, delay is condoned. The application is allowed to the aforesaid extent. Rule made absolute accordingly.