

(2020) 07 MP CK 0013
In the Madhya Pradesh High Court
Case No : Criminal Appeal No. 1112 Of 2020

Kalu @ Kaluram

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 30-07-2020

Acts Referred:

Limitation Act, 1963 — Section 5

Citation : (2020) 07 MP CK 0013

Hon'ble Judges : Sunil Kumar Awasthi, J

Bench : Single Bench

Advocate : Pankaj Kumar Jain, Anendra Singh Parihar,

Final Decision : Allowed

Judgement

Heard on IA No.1287/2020, an application for dispensing with filing of affidavit in support of application for condonation of delay.

After due consideration, the application is allowed; and the appellant exempted from filing affidavit in support of the application for condonation of delay.

Accordingly, IA No.1287/2020 stands disposed of.

Heard on IA No.1288/2020, an application under Section 5 of the Limitation Act, 1963 for condonation of 129 days delay in filing the present criminal appeal.

Learned counsel for the applicant has submitted that after passing of the judgment of conviction, the appellant was in custody, and therefore, the present appeal has been filed through Legal Aid Services. Hence, the same could not be filed within a prescribed period of limitation.

Learned Panel Lawyer for the respondent / State of Madhya Pradesh has not

raised any serious objection in allowing the condonation application.

After considering the reasons assigned in the application, sufficient ground is made out for condoning the delay.

Accordingly, IA No.1288/2020 is allowed and delay of 129 days in filing the present criminal appeal is hereby condoned.

Heard on the question of admission.

Criminal appeal is admitted for final hearing.

Mr. Anendra Singh Parihar, learned Panel Lawyer accepted the notice on behalf of the respondent / State of Madhya Pradesh, therefore, no separate

notice is required.

Let record of concerned case from the trial Court be requisitioned.