

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION NO. 1584 of 2021****In R/CRIMINAL APPEAL NO. 127 of 2021****With****R/CRIMINAL APPEAL NO. 127 of 2021****With****CRIMINAL MISC.APPLICATION (FOR SUSPENSION OF SENTENCE) NO. 1  
of 2021****In R/CRIMINAL APPEAL NO. 127 of 2021**

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**DEVENDRA @ BILLU RAMSWARUP GUJJAR****Versus****STATE OF GUJARAT**

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**Appearance:****MR P B PRAJAPATI(11275) for the Applicant(s) No. 1****MR.AKASH J PANDYA(7206) for the Applicant(s) No. 1****MR RONAK RAVAL, ADDL.PUBLIC PROSECUTOR(2) for Respondent(s) No. 1**

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**CORAM: HONOURABLE MR. JUSTICE A.J.DESAI****and****HONOURABLE MR. JUSTICE A.C. RAO****Date : 29/01/2021****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.J.DESAI)****ORDER IN CR.MA NO.1584/2021**

RULE. Learned APP waives service of notice of Rule on behalf of the respondent – State of Gujarat.

1. This is an application for condonation of delay of 115 days caused in filing the Criminal Appeal.

Heard learned counsel for the parties.

2. Considering the contents of the application, it cannot be said that the delay caused in filing the Criminal Appeal has remained totally unexplained. Therefore, we are of the view that the delay

caused in filing Criminal Appeal deserves to be condoned. Accordingly, the application is allowed. Delay is condoned. Rule is made absolute accordingly.

ORDER IN CRIMINAL APPEAL NO.127 OF 2021

APPEAL is ADMITTED.

Learned APP waives service of notice of Admission on behalf of the respondent – State of Gujarat.

ORDER IN CR.MA NO.1 OF 2021 IN CR. APPEAL NO.127 OF 2021

Learned advocate appearing on behalf of the applicant does not press the present application. Hence, present application is disposed of as not pressed.

(A.J.DESAI, J)

(A. C. RAO, J)

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