

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.1887 OF 2017  
IN  
CRIMINAL APPEAL ST. NO.176 OF 2017**

Subhash Ramdas More .. Applicant

**Versus**

The State of Maharashtra .. Respondent

Mr.Arun S. Shejwal, Advocate for the applicant  
Mr.K.S. Hoke Patil, APP for the respondent/State

**CORAM : V.L.ACHLIYA, J.  
DATED : 04.05.2017**

**P.C. :-**

- . Issue notice to the respondent.
2. Learned APP waives service of notice for the respondent/State.
3. Heard learned counsel for the applicant and APP for the respondent/State and perused the application.
4. There is delay of 188 days delay in filing the appeal against the judgment and order dated 22.07.2016 of the conviction.

5. In nutshell it is the say of the learned counsel for the applicant that the delay was not deliberate but it was due to reason that the applicant could not seek legal assistance to file the appeal. He belongs to poor family and he is Karta of the family. He submits that the parents of the applicant are illiterate and old aged person. He further submits that the applicant has been held guilty of offence under Section 366(A) of the Indian Penal Code and Section 4 r/w 3 of the POSCO Act. The maximum sentence awarded is of 7 years. In case the delay is not condoned serious prejudice would be caused to the applicant.

6. Having regard to the submissions advanced and considered the reasons assigned for condonation of delay as well as consequences to follow if the delay is not condoned. I am inclined to allow the application. Accordingly the application is allowed. Delay is condoned. Appeal be registered.

**[ V.L.ACHLIYA, J. ]**