

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.93 OF 2017
IN
CRIMINAL APPEAL (ST) NO.58 OF 2017
WITH
CRIMINAL APPLICATION NO.95 OF 2017
IN
CRIMINAL APPEAL (ST) NO.58 OF 2017**

Raju @ Pralhad Vithal Naik ... **Applicant**
V/s.
State of Maharashtra ... **Respondent**

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None for the Applicant.
Mr.A.D.Kamkhedkar, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 3rd MARCH 2017.

P.C. :

1 These are applications for condonation of delay in filing an appeal challenging the Judgment and Order of conviction of the applicant for offences punishable under Section 376(2)(i), 377 of the Indian Penal Code, Section 6 of the Protection of Children from Sexual Offences Act and Section 3(1)(iii) and 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act recorded by the learned Special Judge and

Additional Sessions Judge – 2, Sangli in Special Case (Atrocity) No.7 of 2013, as well as, for appointment of an Advocate to represent the applicant in the appeal.

2 Heard the learned Additional Public Prosecutor for the Respondent/State.

3 It is seen that the delay of 38 days is caused in preferring an appeal by the applicant/accused, who is undergoing the sentence for the offences held to be proved against him by the learned Special Judge at Sangli. Reasons for delay are stated in the application. The applicant, because of financial crunch could not seek legal assistance and, therefore, he has presented the appeal through jail. As such, he is prevented from sufficient cause in not filing an appeal within limitation.

4 Because of financial crunch, the applicant is seeking legal aid. Hence, Ms.Nasreen Ayubi, the learned Advocate on the Panel of Legal Aid Council maintained by the High Court Legal Services Committee, is appointed to represent the appellant/accused. The Registry to supply all necessary papers to appointed Advocate. Ms.Nasreen Ayubi, the learned appointed Advocate to draft and prefer Memo of Appeal as well as application for suspension of sentence and releasing the applicant on bail.

5 With this, the delay in filing an appeal is condoned and both applications stand allowed in the light of observations made in forgoing paragraphs.

(A.M.BADAR J.)