

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1103 OF 2017

IN

CRIMINAL APPEAL NO.195 OF 2016

SIDDHARTH DAGDU SONDE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

None for the Applicant.

Mr.Yashpal Thakur, Advocate Appointed, for the Applicant.

Mrs.N.S.Jain, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 10th AUGUST 2017

P.C. :

1 This is an application by the applicant / appellant / convict who is undergoing sentence for commission of offences punishable under Sections 376 and 354 of the Indian Penal Code (IPC) so also under Section 4 of the Protection of Children from Sexual Offences Act, 2012, (POCSO Act).

2 The applicant / appellant / convict has stated that he is served with a letter dated 6th October 2015 of the High court Legal Aid Committee appointing an advocate to represent him at the cost of the State. The applicant / appellant / convict further submitted that he has decided to withdraw this appeal and he is undergoing jail sentence. The letter is forwarded through jail.

3 The appeal is already admitted for final hearing. Hence, the applicant / appellant / convict cannot be permitted to withdraw his appeal. Similarly, it is seen that since the year of the incident i.e. June 2012, the applicant / appellant / convict is behind bars. This appears to have prompted him to seek withdrawal of the appeal, which is not taken up for final hearing, though ripe for final hearing.

4 It is seen that Mr.A.G.Toraskar, the learned advocate is absent. The applicant / appellant / convict had been provided with legal aid at the cost of the State by the concerned committee of this court.

5 In this view of the matter, Mr.Yashpal Thakur is appointed to represent the applicant / appellant /convict at the cost of the State.

(A. M. BADAR, J.)