

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO.65/2018
IN CRIMINAL APPEAL NO. _____/2018

Vinod s/o Mitaram Neware..vs..State of Maharashtra through PSO Tirora, Gondia

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. N. P. Meshram, Advocate for applicant.
Mr. A. Madiwale, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : APRIL 13, 2018

Heard Mr. N. P. Meshram, Advocate for applicant
and Mr. A. Madiwale, A.P.P. for non applicant-State.

This is an application for condonation of delay for preferring the appeal against conviction. The delay is of 358 days. The applicant is convicted by the learned Sessions Judge, Gondia in Special (POCSO) Case No.33/2014 for an offence punishable under Section 342, 363, 511 of the Indian Penal Code and Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012. The maximum quantum of punishment awarded to the appellant is for seven years.

The learned counsel for the applicant states that the applicant is in jail since the date of his arrest. The delay in filing the appeal is caused since there was nobody to take care of the legal proceedings. Even otherwise, the applicant who is in jail wants to question his conviction and that itself is sufficient to condone the delay.

In view of above, the application is allowed. The delay of 358 days caused in filing the appeal is condoned.

The application is disposed of accordingly.

Office to register the appeal and place it for admission.

JUDGE

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