

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

CRIMINAL APPLICATION (APPA) NO.66/2018

Rajesh s/o Shoukindas Gaikwad

..vs..

State of Mah., thr. PSO Bhisi, Tahsil Chimur, District Chandrapur

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

Court's or Judge's Order

.....
None for the applicant.

Shri Amit Madiwale, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : APRIL 12, 2018.

1. Learned counsel for the applicant is absent. Learned Additional Public Prosecutor Shri Amit Madiwale appears for the State.

2. This is an application for condonation of delay in filing an appeal against conviction.

3. The applicant is convicted by learned Judge of the Court below for the offences punishable under Section 376(2)(f)(n) of the Indian Penal Code and under Section 506 Part I of the Indian Penal Code.

For the offence under Section 376(2)(f)(n), he is directed to suffer rigorous imprisonment for 10 years and to pay a fine of Rs.5000/- and, in default of payment of the fine amount, to suffer rigorous imprisonment for 6 months.

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For the offence under Section 506 Part I of the Indian Penal Code, he is directed to suffer rigorous imprisonment for 6 months and to pay a fine of Rs.1000/- and, in default of payment of the fine amount, to suffer rigorous imprisonment for 1 month.

4. Since the applicant is in jail and since he wishes to challenge the judgment and order of conviction, it is my view that an opportunity should be granted to the applicant. Hence, the application is allowed. Delay of 271 days for filing the appeal is hereby condoned.

5. The criminal application is disposed of accordingly.

6. Office is directed to register the criminal appeal.

JUDGE

!! BRW !!

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