

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

**CRIMINAL APPLICATION NO.599 OF 2021
IN APEAL(ST)/1703/2021**

**MAROTI MADHAV TIKEKAR
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicant : Ms. Neha B. Kamble (Appointed)
APP for Respondent - State : Shri R. V. Dasalkar

...

**CORAM : RAVINDRA V. GHUGE AND
B. U. DEBADWAR, JJ.**

DATE : 12TH MARCH, 2021

PER COURT :

1. By this application, the applicant convict prays for condonation of delay of 46 days caused in preferring the appeal.
2. The applicant seeks to challenge the judgment and order dated 28-11-2019 delivered by the learned Additional Sessions Judge, Bhokar in Special Case (POCSO) No.7 of 2019, vide which the applicant has been convicted for having committed offences punishable under Sections 376(2)(f)(i)(j), 354(A)(1), 323, 504 and 506 of Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.
3. Having considered the submissions of learned counsel for applicant and the learned prosecutor, we are of the view that the

delay of 46 days is minor in nature. The applicant has been behind bars, serving out his life sentence. The application is hand-written. In the event the delay is not condoned, the applicant would lose a valuable right of challenging his conviction and life sentence.

4. In view of the above, this application is allowed. We are not imposing costs as the applicant is serving out his sentence.

5. The criminal appeal, which is also hand-written, is **Admitted**. The learned prosecutor waives service of notice on admission.

6. We direct the learned Additional Sessions Judge, Bhokar to prepare the appeal paper book in Special Case (POCSO) No.7 of 2019 decided on 28-11-2019, as expeditiously as possible and preferably, on or before 30-06-2021. The appeal paper book, the original record and proceedings and muddemal property, if any, shall be transmitted to this Court on or before 20-08-2021.

7. This is a peculiar case in which the appellant has submitted a hand-written appeal. Grounds have been formulated. The learned advocate appearing on behalf of the appellant, pursuant to our order dated 09-03-2021, rightly submits that she would add to the grounds and pleadings after pursuing the appeal paper book, since this appeal has been preferred by the appellant

through jail and she does not have the case papers with her.

8. As such, after the appeal paper book is delivered to this Court and the learned advocate representing the appellant acquires a copy thereof, we grant her the liberty to amend the appeal memo, if felt necessary. So also, since the appellant has not preferred an application for suspension of the substantive sentence and for bail, we grant liberty to the learned advocate to prefer such an application after the receipt of the appeal paper book.

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)

SVH