

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1715 OF 2021 IN APEALST/5171/2021

VIKAS MADAN DEVKATE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. G. N. Chincholkar
(Appointed Through Legal Aid Committee)
APP for Respondent-State : Mrs. Geeta L. Deshpande
...

CORAM : SURENDRA P. TAVADE, J.
DATE : 22.09.2021

PER COURT :-

This application is filed by the applicant-original accused for condonation of 1031 days' delay caused in preferring appeal against the Judgment and order dated 07-08-2018 passed in Special Case (POCSO) No. 40 of 2017 passed by the Special Judge, Beed.

2. Learned counsel for the applicant submits that nobody is in his family to instruct the counsel to prefer an appeal. Applicant could not contact his lawyer to file an appeal. Since the date of conviction, the applicant is in jail. He prays to condone the delay.

3. Learned APP submits that, the delay has not been properly explained by the applicant.

4. Considering the facts and circumstances that the applicant-appellant is convicted and sentenced to suffer RI for 12 years. Since the date of conviction, the applicant is in jail, therefore, to meet the ends of justice, delay caused in preferring appeal deserves to be condoned.

5. Accordingly, criminal application is allowed. The delay caused in preferring the appeal is hereby condoned. The appeal be registered. Criminal application is disposed of.

(SURENDRA P. TAVADE)
JUDGE