

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO.1257 of 2020****(for delay)****IN****CRIMINAL APPEAL ST NO. 2418 of 2020****WITH****INTERIM APPLICATION NO.1258 of 2020****(for bail)****IN****CRIMINAL APPEAL ST NO. 2418 of 2020****WITH****CRIMINAL APPEAL ST NO. 2418 of 2020**

Kadar Aadam Badiwal

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Deepak C. Natu i/b Deepak & Co. for the applicant.

Mr.S.R. Agarkar, APP for the State.

CORAM: BHARATI DANGRE, J.**DATED : 19th MARCH 2021****P.C:-**

1 Heard the learned counsel for the applicant and the learned APP for the State.

2 The application seeks condonation of delay of 54 days in filing the appeal against conviction in POCSO case No.216 of 2018 where the applicant is convicted for offence under Section 377, 506 of IPC read with Sections, 4, 6 and 8 of

Tilak

POCSO Act, 2012. When the application is perused, though a lengthy one, the reasons for the delay can be traced in paragraph no.2, the delay has been attributed on account of the applicant not being informed about the pronouncement of the judgment and not availing the copy of the judgment for a considerable period of time. Thereafter, when he was transferred from one jail to another jail, he was not in a position to collect the certified copy and engage the services of a counsel and this has occasioned the delay.

3 On consideration of the said averment, the same being found to be bonafide, the delay caused in filing of the appeal deserves to be condoned. Accordingly, the delay is condoned.

4 Appeal is admitted. Learned APP waives service for the State.

5 Issue fresh notice to the respondent no.2 on Rule.

6 Learned counsel for the appellant pray for expeditious hearing of the appeal and undertake to prepare a private paper book including all the necessary documents. On such private paper book being filed, the condonation of preparation of paper book is dispensed with. Necessary steps should be taken within a period of eight weeks from today.

7 List the Interim Application No.1258 of 2020 on
20.04.2021.

SMT. BHARATI DANGRE, J