

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL (ST.) NO. 16140 OF 2021
WITH
INTERIM APPLICATION NO. 2544 OF 2021
IN
CRIMINAL APPEAL (ST.) NO. 16140 OF 2021**

Liyakat Rukhmuddin Shaikh Appellant
v/s.
The State of Maharashtra Respondent

Ms. Saima Ansari for the Appellant.
Mr. P.H. Gaikwad, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 22nd NOVEMBER, 2021.

P. C. :-

ORDER IN INTERIM APPLICATION NO.2544 OF 2021 :-

. The Applicant herein who has been convicted for offences under sections 376, 506 of the Indian Penal Code and section 5(l) & (n) read with section 6 of Protection of Children from Sexual Offences (POCSO) Act, 2012 has filed this Application for condonation of delay of 559 days in preferring this Appeal. The Applicant who was in custody has stated that he was unable to contact his family members or any other relatives due to lockdown and the situation arising from Covid-19 pandemic.

2. Considering the reasons stated in the Application which in my considered view, constitute sufficient ground, delay is condoned. Appeal be registered.

3. Interim Application No.2544/2021 stands disposed of.

ORDER IN CRIMINAL APPEAL (ST.) NO.16140 OF 2021 :-

4. Learned counsel for the Appellant seeks leave to amend as to implead the victim as Respondent No.2. Leave is granted. Amendment to be carried out within one week. Appellant to furnish spare copy of the Appeal memo. Registry, thereafter, to issue notice to Respondent No.2, returnable on **06/12/2021**. Leave is granted to the Appellant to serve Respondent No.2 by private service and file affidavit of service. Learned APP also to make an endeavour to intimate the next date of hearing to the Respondent No.2 through the officer of the concerned police station.

5. Stand over to **06/12/2021**.

PREETI H
JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)

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PREETI H JAYANI
Date: 2021.11.24
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