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Sherla

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

**INTERIM APPLICATION NO. 1500 OF 2019
IN
CRIMINAL APPEAL (ST) NO. 1652 OF 2019**

Kalpesh W. Shah ... Applicant/Appellant
V/s.
The State of Maharashtra ... Respondent

Mr. Ashish Satpute, Appointed Advocate for the
Applicant/Appellant.
Mr. R.M. Pethe, APP for the Respondent – State.

CORAM : N.R. BORKAR, J.
DATE : JANUARY 25, 2021.

P.C.

1] This application, which is received through Jail, is for condonation of delay of approximately one year in filing the appeal against the judgment and order dated 8th January 2019 passed by the learned Additional Sessions Judge-1, Vasai in POCSO Special Case No. 42 of 2016, by which, the applicant has been convicted under Section 4 of the Protection of Children From Sexual Offences Act, 2012 (for short “POCSO Act”).

2] For the reasons stated in the application and as the appeal is against the judgment of conviction, I am inclined to condone the delay in filing the appeal. Hence, the following order is passed.

- A] Interim Application is allowed.
- B] Delay in filing the appeal is condoned.
- C] Appeal be registered and it be placed for admission along with Bail Application.
- D] Office to communicate this order to the applicant, who is lodged in Kolhapur Central Prison, Kalamba.

(N.R. BORKAR, J.)