

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 483 OF 2021
IN
CRIMINAL APPEAL NO. 363 OF 2020

Sheikh Mustkim Abdul Jakir Qureshi

Vs.

The State of Mah., through P.S.O., P.S. Ramdaspath, Dist. Akola & ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri N.R. Tekade, Advocate for the applicant.
Shri Amit Chutke, A.P.P. for the non-applicant No.1/State.

CORAM : V.M. DESHPANDE AND AMIT B. BORKAR, JJ.

DATE : 01st SEPTEMBER, 2021.

1. This is an application for condonation of delay in filing the appeal.
2. The applicant was convicted by the judgment and order dated 13.03.2020 by the learned Special Court, Akola in Sessions Trial No.130 of 2017 and was directed to suffer life imprisonment for having committed an offence punishable under the provisions of the POCSO Act.
3. The appeal was presented before this Court on 17.09.2020 which is admitted. The appeal was admitted on 01.02.2021 by this Court (Coram : Z.A. Haq and Amit B. Borkar, JJ.), it appears that thereafter the office has raised objections that the appellant has not filed application for condonation of delay. In view of the said objections raised by the Registry the present application is filed for condonation of delay.

4. Shri N.R. Tekade, learned counsel for the applicant would submit that the office note shows that there is a delay of 126 days in filing the appeal.

5. The applicant is in jail and suffers life imprisonment. Shri Amit Chutke, learned Additional Public Prosecutor though submitted that he has objection for allowing this application, however, since the applicant is in jail and undergoing life imprisonment and the appeal is already admitted by this Court the delay can be condoned.

6. The criminal application is allowed. Delay is condoned. The criminal application is disposed of.

JUDGE

JUDGE