

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1574 OF 2018
IN
CRIMINAL APPEAL (STAMP) NO. 399 OF 2018**

Laxman @ Popat Mohan Landage

.. Applicant

Versus

The State of Maharashtra and another

.. Respondents

Mr. Kishor R. Doke, Advocate for the Applicant.

Mr. P. N. Kutti, APP for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 16th NOVEMBER, 2022.

P. C. :-

1. This is an application seeking condonation of delay that is caused in filing the appeal challenging the judgment of conviction and sentence passed by the learned Special Judge in Spl. (POCSO) case No. 01/2016 dated 03.10.2017 by which the applicant is convicted for an offence punishable under Sections 376 (2) (n), 354-D of the Indian Penal Code and Sections 4, 6 and 12 of the Protection of Children for Sexual Offence Act. The maximum sentence is for ten (10) years and to pay fine of Rs. 50,000/- (Rs. Fifty Thousand only). The total fine is Rs. 1,05,000/- (Rs. One Lakh and Five Thousand only). It is directed to be paid to the victim. The reason assigned for the delay is that there is

no male member in the family to look after the affairs of the family. There is only wife who is not educated. The applicant was behind bar throughout the trial and for that purpose his wife could not take any steps to file an appeal immediately. The delay is not intentional and is not deliberate.

2. Considering the reasons assigned, the delay is condoned .
3. The application stands allowed and disposed of accordingly.

(KISHORE C. SANT, J.)

PS.B.