

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1075 OF 2020
IN
CRIMINAL APPEAL (ST.) NO. 362 OF 2020

Ramesh Bhola Shrivastav

.. Applicant/Appellant

Versus

State of Maharashtra

.. Respondent

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- Ms. Vilasini Balasubramanian for Applicant / Appellant
 - Ms. M.M.Deshmukh, APP for the Respondent - State
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**CORAM : SMT. SADHANA S. JADHAV &
MILIND N. JADHAV, JJ.**

DATE : MARCH 30, 2022

P.C. :

1. The Applicant /Appellant herein has filed an Appeal challenging the Judgment and Order passed by the Special Judge under the Protection of Children from Sexual Offences Act, 2012 and Additional Sessions Judge, Pune dated 20.06.2019 by which the Appellant is convicted for the offence punishable under Section 3 punishable under Sections 4, 5(n), and 6 of the Protection of Children from Sexual Offences Act, 2012 (for short “**POCSO Act**”) read with Section 376(2) (f), 323 and 506(1) of the Indian Penal Code vide Section 235(2) of Code of Criminal Procedure Code. The Appellant is sentenced to suffer imprisonment for life and to pay a fine of Rs.7,000/- (Rupees Seven Thousand only) under Section 5(n) punishable under Section 6 of the POC SO Act read with 376(2) of Indian Penal Code.

2. We have requested Advocate Ms. Vilasini Balasubramanian to espouse the case of the Appellant.

3. There is a delay in filing the present Appeal. The delay was not calculated by the Appellant who is in jail. According to the learned counsel appointed for the Appellant the delay is of 204 days. Taking into consideration the fact that the Appellant is in jail and there was no responsible person to espouse the case of the Appellant coupled with the fact of economic stringency, the delay of 204 days in filing the Appeal is condoned in the interest of justice. The Application is accordingly allowed and disposed of.

[MILIND N. JADHAV, J.]

[SMT. SADHANA S. JADHAV, J.]

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