

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

**INTERIM APPLICATION NO.2406 OF 2022
IN
CRIMINAL APPEAL (ST) NO.11947 OF 2022**

Naresh Govind Hande Applicant
versus
State of Maharashtra & Anr. Respondents
.....

- Mr. Vishal G. Salvi, Advocate for Applicant.
- Smt. M. R. Tidke, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 10th AUGUST, 2022**

P.C. :

1. This is an application for condonation of delay of two years and 46 days in filing the Appeal against the order of conviction and sentence passed by the Special Court, Mangaon, District - Raigad, on 16/03/2020 in Special POCSO Case No.11 of 2018.

2. By the impugned judgment and order, the Applicant was convicted for the commission of offence punishable u/s 4 of the Protection of Children from Sexual Offences Act, 2012 and was sentenced to suffer rigorous imprisonment of 7 years and to pay a fine of Rs.25,000/- each and in default of payment to

Nesarikar

MANUSHREE
V
NESARIKAR
Digitally
signed by
MANUSHREE
V
NESARIKAR
Date:
2022.08.11
12:50:02
+0530

suffer further simple imprisonment for six months. The Applicant was also convicted for the commission of offence punishable u/s 376 (2)(n) of the Indian Penal Code. But no separate sentence was imposed. Out of the fine amount Rs.1,00,000/- was directed to be paid to the victim girl.

3. Learned counsel for the Applicant states that the Applicant has already paid the fine amount before the trial Court. Learned counsel for the Applicant has submitted and it is also mentioned in the application that he was taken in custody and thereafter shortly the lockdown was imposed. He was the only breadwinner for his family and there was no one to raise money to meet legal expenses. Finally his wife managed some finances between January 2022 to June 2022 and this Appeal is filed.

4. Considering these grounds, the delay in filing the Appeal is condoned. Appeal be processed further.

(SARANG V. KOTWAL, J.)