

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

**INTERIM APPLICATION NO.3165 OF 2022
IN
CRIMINAL APPEAL (ST) NO.15556 OF 2022**

Vicky Sambhaji Nikam Applicant

versus

State of Maharashtra & Anr. Respondents

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- Mr. R. B. Mokashi i/b. R. B. Mokashi & Associates, Advocate for Applicant.
- Mr. P. H. Gaikwad, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 18th NOVEMBER , 2022**

P.C. :

1. Leave to amend to conceal the identity of the Respondent No.2. Amendment shall be carried out forthwith.

2. This is an application for condonation of delay. The Applicant was convicted by the Special Judge under POCSO, Greater Mumbai, in Special POCSO Case No.325 of 2021. He was convicted for commission of offence punishable u/s 6, 10

and 12 of the Protection of the Children from Sexual Offences Act, 2012 (POCSO) and u/s 376-AB, 354-A, 354-D of the Indian Penal Code. The major punishment imposed on him was for 20 years.

3. Learned counsel for the Applicant submits that it is also mentioned in the application that after his conviction he was taken into custody and was sent to Kolhapur Central Prison. He was in bad financial condition. He could not arrange fund for preferring an Appeal. He took some time to co-ordinate with his relatives and appoint an advocate.
4. Considering these submissions and in the interest of justice, the delay of 40 days in preferring the Appeal is condoned.
5. The Appeal be processed further.

(SARANG V. KOTWAL, J.)