

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

**INTERIM APPLICATION NO.3668 OF 2022
IN
CRIMINAL APPEAL (ST) NO.17694 OF 2022**

Saddam @ Yeda Banty Mohd. Hanif Applicant

versus

State of Maharashtra and Anr. Respondents

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- Smt. Vrushali L. Maindad a/w. Shaheen Kapadia, appointed Advocate for Applicant.
- Mr. S. R. Agarkar, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 28th NOVEMBER, 2022**

P.C. :

1. This is an Application for condonation of delay of 263 days in filing the Appeal. The Appellant was arrested on 14.03.2020 and since then he is in custody. He was convicted and sentenced by the Special Judge under the POCSO Act, Greater Mumbai *vide* Judgment and Order dated 25.11.2021. The major punishment imposed on him was for five years punishable under Section 10 of the Protection of Children from

Sexual Offences Act, 2012.

2. Learned counsel for the Applicant submitted that he is from a poor family. There is nobody to look after his welfare. He could not afford engaging a private lawyer. Therefore, the Legal Services Authority of this Court has appointed an Advocate for him. She, therefore, submitted that the delay be condoned. She also submitted that the Applicant has good case on merits.
3. Considering these submissions, the delay of 263 days in filing the Appeal is condoned.
4. The Appeal be processed further.
5. Interim Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)