

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

CRIMINAL APPLICATION (APPA) NO.140/2022

IN

CRIMINAL APPEAL NO...../2022

Vipul s/o Vijay Telgote

..VS..

The State of Mah., thr.PSO PS Ramdaspath, Akola

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri R.D.Dhande, Advocate h/f Shri Sachin Zoting, Counsel for the
Applicant.

Shri T.A.Mirza, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE & G.A.SANAP, JJ.

DATED : FEBRUARY 26, 2022

1. Heard.
2. This is an application for condonation of delay in presenting an appeal. Delay is of 71 days/
3. The applicant is represented by Advocate Shri R.D.Dhande for and on behalf of learned counsel Shri Sachin Zoting and the State is represented by learned Additional Public Prosecutor Shri T.A.Mirza.
4. The applicant stands convicted by judgment and order dated 30.11.2021 passed by learned Additional Sessions Judge, Akola in Sessions Trial No.41/2019. He is convicted for various offences including offence punishable under Section 4 of the Protection of Children from Sexual Offences Act, 2012. In addition to other sentences, he is also ordered to suffer life imprisonment and he is in jail.
5. In view of fact that the applicant is in jail, in our considered view, an opportunity has to be given to the

applicant to submit his case before the Court.

6. In this view of the matter, though learned Additional Public Prosecutor for the State is opposing the application for condonation of delay, we are of view that the delay can be condoned. Hence, the criminal application is allowed. The delay stands condoned.

7. The criminal application is disposed of accordingly.

CRIMINAL APPEAL NO...../2022

1. Heard.
2. **Admit.**
3. Record and proceedings be called for.
4. Learned Additional Public Prosecutor waives service on behalf of the State.

Criminal Application St.No.1083/2022

1. Heard.
2. This application under Section 389 of the Code of Criminal Procedure will be considered after receipt of record and proceedings.

JUDGE

!! BRW !!
 BHUSHAN
 RANA
 WANKHEDE
 Digitally signed
 by BHUSHAN
 RANA
 WANKHEDE
 Date:
 2022.02.28
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JUDGE