

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CRIMINAL APPLICATION NO. 3401 OF 2023
IN/WITH
CRIMINAL APPEAL ST NO. 9366 OF 2023
WITH
CRIMINAL APPLICATION NO. 3402 OF 2023
IN APPEAL ST/9366/2023

PARMESHWAR BABURAO LANDGE
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Applicants : Mr. Tukaram Maruti Venjane
APP for Respondent-State : Mr. S. D. Ghayal
.....

**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATED : 25 OCTOBER 2023

PER COURT :-

1. Issue notice to the respondent. Learned APP waives notice.
2. Criminal Application No. 3401 of 2023 has been filed for getting condoned the delay of 56 days in filing appeal.
3. The applicant is the original accused no.1, who wants to challenge his conviction for the offence punishable Section 302 of the Indian Penal Code [IPC] passed by learned Special Judge (POCSO)/Additional Sessions Judge, Nilanga, District Latur in Sessions Case No. 10 of 2017 on 16.05.2023. It appears that the present appellant was never released on bail since the date of his arrest. It has been stated that since the family of the applicant is poor

and could not arrange the expenses, there is delay.

4. Since good grounds have been given for condoning the delay, the same stands condoned. Criminal Application No. 3401 of 2023 stands allowed and disposed of.

5. Registry to verify and register the appeal.

6. Since arguable points are made, the appeal stands **admitted**.

7. Call record and proceedings with paper book.

8. Issue notice to the respondent. Learned APP waives notice.

9. Issue notice in respect of application for suspension of sentence also. Learned APP waives.

10. The application be placed after receipt of record and proceedings with paper book.

[ABHAY S. WAGHWASE, J.]

[SMT. VIBHA KANKANWADI, J.]

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