

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

**INTERIM APPLICATION NO.340 OF 2023
IN
CRIMINAL APPEAL [STAMP] NO.1067 OF 2023**

Ekknath Yashwant MudeApplicant
Versus
The State of Maharashtra & Anr. Respondents

Ms. Janhavi S. Karnik, Advocate (appointed) for the
Applicant.

Mr. S.R. Agarkar, APP for the Respondent No.1-State.

**CORAM : SARANG V. KOTWAL, J.
DATE : 1st FEBRUARY, 2023**

P.C. :

1. This is an application for condonation of delay of 317 days in filing the appeal. The applicant was convicted and sentenced by the Additional Sessions Judge, Thane vide his judgment and order dated 14.1.2020 passed in Special Case No.225/2016. He was convicted for commission of the offence punishable under Section 376 of IPC and under Sections 4, 5(l)(m)(n) of the Protection of Children from Sexual Offences Act, 2012 and was sentenced to suffer RI for ten years. He was also convicted for the offence punishable

under Section 506 of IPC and was sentenced to suffer RI for one year. It appears that the applicant is in custody since 17.6.2016. The applicant could not afford a private Advocate and, therefore, this appeal is filed through Legal Services Authority of this Court. It appears that because of his poor financial condition there was delay in filing the appeal.

2. Considering this request and in the interest of justice, the delay of 317 days in preferring the appeal is condoned. The appeal be processed further. The application is disposed of accordingly.

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by
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(SARANG V. KOTWAL, J.)

Deshmane (PS)