

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.435 OF 2023
IN
CRIMINAL APPEAL NO.147 OF 2023

Sunil Chandrakant Misal .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Mr.Ratnesh Dube, Appointed Advocate for the Applicant.

Mr.Aniesh Jadhav, Appointed Advocate, for the Respondent No.2.

Ms.P.N.Dabholkar, APP for the State.

PSI C.R.Katkar, attached to Kothrud Police Station, Pune, present.

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CORAM: BHARATI DANGRE, J.

DATED : 27th APRIL, 2023

P.C:-

1. The learned counsel for the Appellant/Applicant has placed on record the compilation of documents, which include deposition of the witnesses, the statements recorded under Section 164 of Cr.P.C. as well as the ancillary documents in form of medical record.

On it's perusal, I am unable to persuade myself to prima facie find any legal infirmity in the impugned judgment and considering the seriousness of the offence and the punishment

imposed pursuant to the conviction for committing sexual assault upon a girl, who at the relevant time was aged 12 years, I am not inclined to grant the application.

2. The learned counsel for the Appellant would make an earnest request for expeditious hearing of the Appeal, since the Appellant is incarcerated since the date of his arrest i.e. 20/07/2018. In the wake of the aforesaid circumstances, I deem it appropriate to expedite the process of calling for R & P and preparation of paper-book. The Registry is directed to take steps to call for R & P from the Special Court, Pune and, thereafter, prepare the paper-book at the earliest, so that Appeal itself can be taken up for final hearing.

Let the process be completed on or before 31/08/2023.

3. List the Appeal on 07/09/2023, under caption 'for directions', for fixing up a date for final hearing on 07/09/2023.

4. The Application stands disposed off.

(SMT. BHARATI DANGRE, J.)