

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL ST NO. 4367 OF 2023
WITH
INTERIM APPLICATION NO. 1020 OF 2023
IN
CRIMINAL APPEAL ST NO. 4367 of 2023
WITH
INTERIM APPLICATION NO. 1019 OF 2023
IN
CRIMINAL APPEAL ST NO. 4367 of 2023
WITH
INTERIM APPLICATION NO. 1018 OF 2023
IN
CRIMINAL APPEAL ST NO. 4367 of 2023

Hiralal Lakhan Mandal

.. Appellant

Versus

The State of Maharashtra & Anr

.. Respondents

...

Mr. R.U. Jha, for the appellant/applicant.

Ms. Anamika Malhotra, APP for the State.

Mr. Bharat Koyal, PSI, Nagpada Police Station

CORAM: BHARATI DANGRE, J.

DATED : 11th APRIL 2023

P.C:-

Interim Application No.1018 of 2023

1 The present Application is for condonation of 44 days delay in instituting the appeal against the judgment dated 9/11/2022 passed by the Special Court in POCSO Special Case

No.66 of 2017.

Heard the learned counsel for the applicant and perused the application.

The delay has been sought to be explained by highlighting financial difficulty faced by the appellant, and I consider the same to be a satisfactory explanation for not filing the appeal within the period of limitation.

Interim Application No. 1018 of 2023 stands allowed by condoning the delay of 44 days. Interim Application stands disposed off.

Criminal Appeal (ST) No. 4367 of 2023

2 Heard. Admit.

3 Call for record and proceedings.

4 Through the Investigating Officer, the respondent no.2 shall be informed about the appeal being admitted and her right to be represented before this Court, while the appeal is being heard.

Interim Application No.1020/2023 and 1019/2023

5 Since the appellant stand convicted under the provisions of POCSO Act, issue notice to the respondent no.2 making it returnable on 20/04/2023. Notice shall be served through the Investigating Officer. He shall intimate respondent no.2 about filing of Appeal by the appellant and application

seeking suspension of sentence and his release on bail. He shall also apprise respondent no.2 about her right to be represented through the counsel of her choice or seek assistance from the Legal Aid.

(SMT. BHARATI DANGRE, J.)