

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

**INTERIM APPLICATION NO.3475 OF 2022
IN
CRIMINAL APPEAL (ST) NO.17226 OF 2022**

Paresh Sanjay Mate Applicant

versus

State of Maharashtra & Anr. Respondents

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- Mr. Ravi Dwivedi, Advocate for Applicant.
- Smt. M. R. Tidke, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 25th JANUARY, 2023**

P.C. :

1. This is an application for condonation of delay of 192 days in filing the Appeal. The Applicant was convicted and sentenced by the Extra Joint District & Additional Sessions Judge, Raigad-Alibag, vide his Judgment and Order dated 28/01/2022 passed in Special (POCSO) Case No.38/2021.

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2. The Applicant was convicted for commission of offence punishable u/s 363, 376(2)(n), 354 of the Indian Penal Code

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and u/s 3, 4, 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act and was sentenced to suffer rigorous imprisonment for 20 years besides imposition of fine.

3. Learned counsel for the Applicant submitted and it is also mentioned in the application that he is from financially poor family. His parents are old. His sister's husband is looking after the family. But he also is in a bad financial state and therefore immediate arrangement to file the Appeal could not be made. The Applicant was in custody since the date of his arrest i.e. 15/03/2021. All this has caused delay in filing the Appeal.
4. Considering these submissions and in the interest of justice, the delay of 192 days in preferring the Appeal, is condoned.
5. The Appeal be processed further.

(SARANG V. KOTWAL, J.)