

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO.249 OF 2023 IN
CRIMINAL APPEAL STAMP NO.1033 OF 2023

Pramod alias Pintu Manikrao Pawar and another Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri R.R. Gaur, Advocate appointed for applicants.
Shri V.A. Thakre, APP for non-applicant/State

CORAM : ANIL L. PANSARE, J.
DATE : MARCH 01, 2023.

Heard.

2. By this application, the applicants are seeking condonation of delay caused in filing the appeal against judgment and order dated 20.06.2022 passed by the learned Additional Sessions Judge, Akola in Sessions Trial No.53/2012, thereby convicting applicant no.1 under Section 375 read with Section 511 of the Indian Penal Code and sentencing him to suffer five years rigorous imprisonment with fine amount and applicant no.2 under Section 109 read with Section 376 of the IPC and sentencing him to suffer two years rigorous imprisonment with fine amount.

3. Learned counsel for the applicants submits that delay has been caused because the applicants are in jail and have restrictions to communicate with their relatives. They could not give instructions in time nor they could collect necessary documents.

4. In view of above and for the reasons set out in the application, the application is allowed. Delay of 148 days caused in filing the appeal against the order dated 20.06.2022 passed by the learned Additional Sessions Judge, Akola in Sessions Trial No.53/2012, is condoned. Appeal be registered.

5. The application stands disposed of.

CRIMINAL APPEAL STAMP NO.1033 OF 2023

6. Heard.

7. **Admit.**

8. Call for record and proceedings.

9. Learned A.P.P. waives notice of hearing on behalf of respondent/State.

10. Registry to process the appeal for final hearing in accordance with Rules.

JUDGE

Wagh