

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

...
CRIMINAL APPLICATION (APPA) NO. 367/2023
IN
CRIMINAL APPLICATION (ST) NO.2544/2023
IN
CRIMINAL APPEAL (ST) NO. 2542/2023

Vijay Mahadeorao Moon

..Applicant/s

versus

The State of Maharashtra

Th: Its PSO Hinganghat Dist. Wardha and another

..Respondent/s

.....
Mr.A.K.Dhabarde, Advocate for the applicant /s

Mr.S.M.Ghodeswar, APP for Respondent -State

.....

CORAM: ANIL L. PANSARE, J.

DATED : 11th April, 2023.

PC:

By the present application, the applicant is seeking condonation of delay of 329 days in filing the Appeal against conviction. The applicant has been convicted by the judgment and order dated 25.02.2022 passed by learned Additional Sessions judge Hinganghat in Spl. POCSO Case No. 23/2017, for the offences punishable u/ss. 354 B of the Indian penal code and Section 7 r/w. Sec. 8 r/w Sec.10 and Sections 11(i) (ii) r/w. Sec.12 of the Protection of Children from Sexual Offences Act.

The learned counsel for the applicant submits that since the applicant is in jail he could not collect the documents and give instructions in time.

In view of the above and for the reasons set out in the Application, the Application is allowed. The delay of 329 days caused in filing the present appeal is hereby condoned. The Appeal be registered.

CRI.APPEAL (ST) NO. 2542/2023

Heard.

Admit.

Call R & P

The R & P be furnished in hard copy as well as soft copy.

Learned APP waives service on behalf of the Respondent No.1-State.

CRI. APPP (ST) NO. 2544/2023

Issue notice to the respondents, returnable on 25th April,2023.

Learned APP waives service of notice on behalf of Respondent No.1.

[ANIL L. PANSARE, J.]

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