



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.744/2023

Prafulla Uddhav Zodape (In Jail) Vs. State of Maharashtra and anr.

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

Court's or Judge's orders

Mr. S. R. Jaiswal, Advocate appointed for applicant.
Mr. A. R. Chutke, A.P.P. for non applicant – State.

CORAM : ANIL L. PANSARE, J.

DATE : 29.08.2023

By the present application, the applicant is seeking to condone the delay of 430 days in filing appeal against judgment and order dated 23.02.2021, passed by learned Additional Sessions Judge, Nagpur in Special Child Protection Case No.280/2018, thereby convicting the applicant for the offence punishable under Section 10 of the Protection of Children From Sexual Offences Act, 2012 and sentencing him to undergo rigorous imprisonment for five years.

Learned counsel for the applicant submits that the applicant is in jail and has no means to engage an advocate. He has been recently engaged by the High Court Legal Services Sub Committee, Nagpur and, thereafter, immediately moved this application.

The applicant is convicted by the trial Court. This being the appeal under Section 374(2) of the Criminal Procedure Code, 1973, the convict has right to

assail the judgment of conviction before the appellate court.

In view of above and for the reasons set out in the application, the application is allowed. Registry to register the appeal and process accordingly.

The application is disposed of.

Criminal Appeal St. No.4038/2023

Heard.

Admit.

Call record and proceedings.

Learned A.P.P. waives service of notice for the respondent no.1 – State.

(Anil L. Pansare, J.)