



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

**CRIMINAL APPLICATION (APPA) NO.759/2023**

Ramesh Raghunath Yetare .Vs. State of Maharashtra and anr.

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

Court's or Judge's orders

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Mr. R. D. Hajare, Advocate appointed for applicant.  
Mrs.M.H. Deshmukh, A.P.P. for non applicant no.1– State.

**CORAM : ANIL L. PANSARE, J.**

**DATE : 29.08.2023**

By the present application, the applicant is seeking to condone the delay of 333 days in filing appeal against judgment and order dated 04.05.2022, passed by learned Special Judge (Under POCSO Act, Bhandara in Special Criminal Case No.41/2017, thereby convicting the applicant for the offence punishable under Section 376AB read with Section 511 and Section 452 of the Indian Penal Code, 1860. The maximum sentence awarded to the applicant is to undergo ten years rigorous imprisonment.

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.4362/2023**

Heard.

**Admit.**

Call record and proceedings.

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

Registry to process the appeal accordingly.

**(Anil L. Pansare, J.)**