



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

CRIMINAL APPLICATION (APPA) NO.699/2023 (APPA)

Dnyaneshwar Kisan Tayade .vs. State of Maharashtra through PSO P.S. Khamgaon,
Dist Buldhana.

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

Court's or Judge's orders

Mr. H. Dhage, Advocate for applicant.
Mrs. M. H. Deshmukh, A.P.P. for non applicant no.1.
Ms M. Sharma, Advocate appointed for non applicant no.2.

CORAM : ANIL L. PANSARE, J.

DATE : 24.08.2023

The non applicant no.2 – Victim is present in the court today.

Learned counsel Ms Mohini Sharma, is appointed as an Advocate to appear on behalf of the non applicant no.2.

Applicant to supply copy of appeal memo along with annexures to the non applicant no.2.

Heard learned counsels for the parties.

By the present application, the applicant – original accused is seeking to condone the delay of 54 days in filing the appeal against the judgment and order dated 01.03.2023 passed by the learned Sessions Judge, Khamgaon in Special (POCSO) Case. No. 8/2020. The applicant has been convicted for the offence punishable under Section 6 of the Protection of Children From Sexual Offences Act, 2012 and was sentenced to suffer rigorous imprisonment for 20 years.

Learned counsel for the applicant submits that the applicant is in jail and, therefore, has restrictions on movement. He could not collect the documents in time nor could he engage an advocate in time.

This being the position and for the reasons set out in the application, the application is allowed as prayed for. The appeal be registered and processed, in accordance with rules.

The application is disposed of.

Criminal Appeal Stamp No. 4999/2023

Heard.

Issue notice to the respondents, returnable on 07.09.2023.

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

Ms Sharma, learned counsel waives service of notice for respondent no.2.

Criminal Application (APPA) St. No. 728/2023

Heard.

Issue notice to the non applicants, returnable on 07.09.2023.

Learned A.P.P. waives service of notice for non applicant no.1-State.

Ms Sharma, learned counsel waives service of notice for non applicant no.2.

(Anil L. Pansare, J.)