

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
CRIMINAL APPLICATION (APPA) NO.1003 OF 2022 IN
CRIMINAL APPEAL STAMP NO.8788 OF 2022

Ramadar s/o Punwu Shendur Vs. State of Maharashtra and another

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

Court's or Judge's orders.

Ms Mukta R. Kavimandan, Advocate appointed for applicant.
Shri I.J. Damle, APP for non-applicant no.1/State.
Ms Shilpa Kapadia, Advocate appointed for non-applicant no.2.

CORAM : ANIL L. PANSARE, J.
DATE : MARCH 02, 2023.

Heard.

2. By this application, the applicant is seeking condonation of delay caused in filing the appeal against judgment and order dated 01.04.2022 passed by the learned Extra Joint Additional Sessions Judge (Special Judge, POCSO Court), Nagpur in Special Criminal (Child) Case No.346/2019, thereby convicting the applicant under Section 376-AB of the IPC and sentencing him to suffer twenty years rigorous imprisonment with fine amount.

3. Learned counsel for the applicant submits that delay has been caused because the applicant is in jail and has restrictions to communicate with his relatives. He could not give instructions in time nor he could collect necessary documents.

4. In view of above and for the reasons set out in the application, the application is allowed. Delay of 162 days

caused in filing the appeal against the judgment and order dated 01.04.2022 passed by the learned Extra Joint Additional Sessions Judge (Special Judge, POCSO Court), Nagpur in Special Criminal (Child) Case No.346/2019, is condoned. Appeal be registered.

5. The application stands disposed of.

CRIMINAL APPEAL STAMP NO.167 OF 2023

6. Heard.

7. **Admit.**

8. Call for record and proceedings.

9. Learned A.P.P. waives notice for respondent no.1/State on merits.

10. Ms Shilpa Kapadia, learned counsel waives notice for the respondent no.2.

CRIMINAL APPLICATION (APPA) STAMP NO.8790 OF 2022

11. Heard.

12. Issue notice to the non-applicants.

13. Learned A.P.P. waives notice for non-applicant no.1/State on merits.

14. Ms Shilpa Kapadia, learned counsel waives notice for

the non-applicant no.2. She submits that she does not have a complete set of documents.

15. Registry to furnish the documents as required.

16. Stand over after two weeks.

JUDGE

Wagh