



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

CRIMINAL APPLICATION (APPA) NO.1116 OF 2023

[Digambar Maroti Hagwane .Vrs. The 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 order

Ms N. P. Dhoke, Adv. h/f Mr M. V. Rai, Advocate for Applicant/Appellant.
Ms K. Bhondge, APP for Non-Applicant No.1/State.

CORAM : ANIL L. PANSARE, J.

DATE : 16th OCTOBER 2023.

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. By this application, the Applicant is seeking to condone the delay of 199 days caused in filing the appeal against the judgment and order dated 19.01.2023 passed by the learned Special Judge (POCSO Act), Wardha, in Special POCSO Case No. 163 of 2020, whereby the Applicant/Appellant has been convicted for the offences punishable under Sections 363, 366-A and 506 of the Indian Penal Code, 1860 and under Sections 5(m), 6 and 10 of the Protection of Children from Sexual Offences Act, 2012.

2. The learned Counsel for Applicant submits that the Applicant is in jail and has restrictions on movements. He could not collect the documents in time. He has limited resources and therefore, he could not engage the Advocate.

3. In view of above and for the reasons set out in the Application, Criminal Application is allowed as prayed for. In other words, delay stands condoned.

4. Appeal be registered.

CRIMINAL APPEAL (ST) NO.8294 OF 2023

5. Heard. **Admit.** Call for Record and Proceedings.

6. Issue notice to the Respondents. Ms Bhondge, learned APP waives service of notice on behalf of the Respondent No.1/State.

7. Registry to prepare the paper-book and process the appeal for final hearing, as per the Rules.

CRIMINAL APPLICATION (APPA)(ST) NO.8297 OF 2023

8. After having heard at length, when the Court was not inclined to grant relief in favour of the Applicant, the learned Counsel for Applicant, on instructions, seeks permission to withdraw the application. Permission granted.

9. The application is dismissed as withdrawn.

JUDGE