



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

Criminal Application (APPA) No. 556 of 2023
in

Criminal Appeal St. No. 3895 of 2023

[Sagar S/o Anandrao Gundav (in jail) ..vs.. State of Maharashtra through P.S.O., P.S. Chandur Bazar,
Tah. Chandur Bazar, Dist. Amravati]

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

Court's or Judge's orders

Mr. B. K. Vyas, Advocate h/f Mr. A. M. Tirukh, Advocate for the applicant
Mrs. K. H. Bhondge, APP for the State/respondent
Mr. A. A. Choube, Advocate for applicant in APPA No. 1157/2023

CORAM : ANIL L. PANSARE J.

DATED : 7-11-2023

By the present application, the applicant is seeking to condone the delay of 20 days in filing appeal against the judgment and order dated 14-2-2023 passed by learned Additional Sessions Judge, Achalpur in Special Case No. 45/2021 whereby the applicant is convicted for offence punishable under Section 452 of the Indian Penal Code (IPC) and sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs. 5000/-, in default of payment of fine, to suffer simple imprisonment of one month. He is further convicted for offence punishable under Section 506 of the IPC and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs. 2000/-, in default of payment of fine, to suffer simple imprisonment of fifteen days. He is further convicted for offence punishable under Section 294 of the IPC and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs. 2000/-, in default of payment of fine, to suffer simple imprisonment of fifteen days. He is further convicted for

offence punishable under Section 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs. 5000/-, in default of payment of fine, to suffer simple imprisonment of one month.

Learned counsel for the applicant submits that the delay has occurred because the applicant is in jail and has restrictions for moving. He could not collect the documents in time and give instructions to the Advocate. He is in financial crunch as well. In view of the above and for the reasons set out in the application, the application is allowed. Appeal be registered.

The application is disposed of.

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Heard.

Admit.

Call R & P.

Learned Additional Public Prosecutor waives notice for the State/respondent.

Registry to prepare the paper book and process the appeal for final hearing in accordance with rules.

Criminal Application (APPA) No. 1157 of 2023

The informant is seeking to assist the prosecution. For the reasons set out in the application, the application is allowed.

Informant may assist the prosecution.

(Anil L. Pansare, J.)