

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

**CRIMINAL APPLICATION (APPA) NO.87 OF 2023**

**IN**

**CRIMINAL APPEAL (ST.) NO.10055 OF 2022**

[Jarina @ Zareena Khan W/o Siraz Khan ..V/s.. 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 order*

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Mr M. V. Rai, Advocate for the Applicant/Appellant.

Mr M. J. Khan, Addl. P. P. for the Non-Applicant/Respondent No.1

**CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.**

**DATE : 15<sup>th</sup> FEBRUARY, 2023.**

. Heard.

2. This is an application seeking condonation of delay of 134 days caused in filing an appeal challenging the order of rejection of regular bail in Special Case No.639 of 2021.

3. The Applicant was arrested in concerned crime for the offence punishable under Section 376(2)(j)(n) alongwith other offence under the Indian Penal Code, 1860, as well as under Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act, 1989. The Applicant was arrested on 20.10.2020 and since then she is in jail. The reason canvassed for delay is about Applicant's incarceration and financial constraints. Since the matter pertains to liberty of individual, we deem it appropriate to condone the delay.

4. The delay of 134 days stands condoned. Appeal be registered and numbered accordingly.

5. Criminal application is disposed of.

**CRIMINAL APPEAL (ST) NO.10055 OF 2022.**

6. Heard.

7. Issue notice to the Respondents, returnable on 03.03.2023. Learned Additional Public Prosecutor waives notice on behalf of Respondent No.1/State.

8. State to ensure service of notice of this appeal to the Respondent No.2 (Victim) on or before next date.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)

TAMBE