



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

Criminal Application (APPA) No. 1262 of 2023

in

Criminal Appeal St. No. 9696 of 2023

[Gurudeo Tularam Khobragade ..vs.. The State of Maharashtra thr. P.S.O., P.S. Pauni, Tq. Pauni, Dist.
Bhandara and anr.]

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

Court's or Judge's orders

Mr. Amol Dobade, Advocate (appointed) for the applicant/appellant
Mr. A. V. Palshikar, APP for the State

CORAM : ANIL L. PANSARE J.

DATED : 20-12-2023

By the present application, learned counsel for the applicant is seeking to condone delay of 494 days.

The applicant has been convicted by the Special Court (Under POCSO Act), Bhandara, by judgment and order dated 19-04-2022 for the offence punishable under Section 363 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for five years and fine of Rs. 2000/- in default of payment of fine to suffer rigorous imprisonment of two months and also under Section 10 of the Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for seven years and fine of Rs. 3000/- in default payment of fine to suffer further rigorous imprisonment for three months.

The applicant is in jail. He has restrictions for movement. In addition, he has financial difficulties to appoint the Advocate. Ultimately, he sought legal aid

and the same is provided and in doing so, there occurred delay.

In view of the above and for the reasons set out in the application, the application is allowed as prayed for.

The appeal be registered.

Criminal Appeal No. _____ of 2023

Name of respondent no. 2 shall be deleted in terms of order passed by this Court dated 10-11-2023 in Criminal Appeal (ST) No. 8953/2023.

Heard.

Admit.

Learned Additional Public Prosecutor waives notice for the State/respondent no. 1.

Call R & P.

(Anil L. Pansare, J.)