

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2473 OF 2024
IN
CRIMINAL APPEAL (ST) NO. 12352 OF 2024**

Dattatraya Ashok Kate

..Applicant.

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Pranav P. Badheka (appointed Advocate) for Applicant.

Ms. Ranjana D. Humane, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 9 JULY 2024

PC :

1. This is an application for condonation of delay of 373 days in filing Appeal against the Judgment and order dated 06.04.2023 passed by the Additional Sessions Judge, Kolhapur, in POCSO Special Case No.1 of 2019. The applicant was convicted U/s.363 of the I.P.C. and under sections 7, 8 and 9(l)(m)(n) r/w. Section 10 of the Protection of Children from Sexual Offences Act (hereinafter referred to as 'POCSO Act'). The major sentence imposed on him was R.I. for six years, besides imposition of fine.

2. Learned counsel for the applicant submitted that the

applicant was in poor financial condition. He could not engage a private advocate. Therefore, this Appeal is being preferred with the help of Legal Services authority of this Court. Some time was spent in appointing the advocate and collecting necessary documents. Therefore, there is delay of 373 days in filing the Appeal.

3. Considering these submissions and in the interest of justice, delay of 373 days is condoned. The Appeal be processed further.

4. The application is disposed of.

(SARANG V. KOTWAL, J.)