

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

**INTERIM APPLICATION NO.837 OF 2024  
IN  
CRIMINAL APPEAL STAMP NO.3870 OF 2024**

Dharmanath @ Dharma Mohan Rai ..Applicant  
Versus  
The State of Maharashtra & Anr. ..Respondent

Mr. Mujahid Ansari, for the Applicant.  
Ms. Ranjana D. Humane, APP for the Respondent/State.

**CORAM : SARANG V. KOTWAL, J.**

**DATE : 16<sup>th</sup> JULY, 2024**

**P C.**

1. The applicant has challenged the judgment and order dated 1<sup>st</sup> October, 2022 passed by the learned Sessions Judge, Kalyan in Special Case No.160 of 2015. The Applicant was convicted for commission of offences under Sections 376(2)(j), 376(2)(n), 376(3), 323, 506 of IPC and under Sections 3 r/w 4, Section 7 r/w 8 and Section 11 r/w 12 of POCSO Act. The major sentence imposed on him was rigorous imprisonment for twenty 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. He therefore sought assistance of Legal Services

Authority of this Court. A Legal Aid Counsel from the panel was appointed to represent the Applicant. Learned advocate was appointed on 9<sup>th</sup> November, 2023. Thereafter, sometime was required to collect the documents including the judgment copy. All these has caused delay of 434 days in filing the Appeal.

3. Considering these submissions and in the interest of justice, the delay of 434 days in filing the Appeal is condoned. The Appeal be processed further.

4. The Application is disposed of.

**(SARANG V. KOTWAL, J.)**