

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

**INTERIM APPLICATION NO.1048 OF 2024
IN
CRIMINAL APPEAL (ST) NO.5267 OF 2024**

Kisan Shamal Walendra Applicant
versus
The State of Maharashtra & Anr. Respondents
.....

- Mr. Omneel Jadhav, appointed advocate for Applicant
- Smt. Manisha R. Tidke, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 20th JUNE, 2024**

P.C. :

1. This is an application for condonation of delay of 4 years and 346 days in preferring an Appeal against Judgment and Order of conviction and sentence passed by the Additional Sessions Judge, Vasai, on 21/01/2019 in POCSO Special Case No.113 of 2017. The Applicant was convicted u/s 6, 7 and 8 of Protection of Children from Sexual Offences Act, 2012 and u/s 506 of the Indian Penal Code. The major sentence was rigorous imprisonment for 15 years.

2. Learned counsel for the Applicant, who is appointed through Legal Aid Services, submitted that the Applicant was unaware of his right to file an Appeal. He could not engage a private advocate and because of his financial difficulty his Appeal was preferred through Legal Aid Counsel. He submitted that in the interest of justice, the delay be condoned.
3. Considering the above reasons, the delay in filing the Appeal, is condoned.
4. The application is disposed of.

(SARANG V. KOTWAL, J.)