

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

**INTERIM APPLICATION NO.1879 OF 2024
IN
CRIMINAL APPEAL (ST) NO.8172 OF 2024**

Nashibul Danish Malik Applicant
versus
The State of Maharashtra & Anr. Respondents
.....

- Mr. Nitin S. Satpute, appeared through VC a/w Deepak Jagdev, Advocate for Applicant.
- Mr. Shrikant H. Yadav, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 15th JULY, 2024**

P.C. :

1. This application is for condonation of delay of 77 days in filing the Appeal, challenging the Judgment and Order dated 12/10/2023 passed by the Special Judge, under POCSO Act, 2012, Greater Mumbai, in Special Case No.1049 of 2021. The Applicant was the original accused No.3. She was convicted for offences punishable u/s 363, 354, 366-A, 376, 506(II) r/w 34 of the Indian Penal Code and u/s 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. She was sentenced to suffer rigorous imprisonment for 20 years.

2. Learned counsel for the Applicant submitted that the Applicant is in a poor financial condition. Her husband has deserted her. There is no one to look after her. There was no money with her to engage an advocate. All this has caused the delay in filing the Appeal.
3. Considering these submissions and in the interest of justice, the delay of 77 days in filing the Appeal is condoned.
4. The Appeal be processed further.
5. The Interim Application is disposed of.

(SARANG V. KOTWAL, J.)