

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

**INTERIM APPLICATION NO. 1950 OF 2024
IN
CRIMINAL APPEAL (ST) NO. 9073 OF 2024**

Madhu @ Madhukar Lahanu Baraf ..Applicant.
Versus
State of Maharashtra & Anr. ..Respondents

Mr. Tanmay T. Jadhav h/f. Nikhilesh Pote (appointed Advocate) for Applicant.
Mr. Swapnil V. Walve, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 3 JULY 2024**

PC :

1. The applicant has filed this application for condonation of delay of 356 days in filing Appeal. The applicant has challenged the Judgment and order dated 28.02.2023 passed by the Additional Sessions Judge, Palghar, in Special (POCSO) Case No.22 of 2019. The applicant was convicted for commission of offences punishable under Sections 363(3) of the I.P.C. and under sections 5(l) r/w. Section 6 of the Protection of Children from Sexual Offences Act. The major sentence imposed on him was R.I. for 20 years, besides imposition of fine.

2. Learned counsel for the applicant submitted that, because of the applicant's poor financial condition, he had to seek assistance of legal aid counsel. Advocate Shri. Pote was appointed to represent him. In the meantime, Advocate Shri. Pote underwent a major surgery of hip replacement and, therefore, it caused further delay in filing the Appeal.

3. Considering that there was no fault on the part of the applicant and in the interest of justice, delay in filing the appeal is condoned. The Appeal be processed further.

4. The application is disposed of.

(SARANG V. KOTWAL, J.)