

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

**INTERIM APPLICATION NO.2067 OF 2024
IN
CRIMINAL APPEAL [STAMP] NO.10400 OF 2024**

Vishal Shashikant PataneApplicant
Versus
The State of Maharashtra
and another Respondents

Mr. Shreyas P. Barsawade, Advocate for the Applicant.
Mr. Vithal B. Konde-Deshmukh, APP for the Respondent-
State.

CORAM : SARANG V. KOTWAL, J.

DATE : 24th JUNE, 2024

P.C. :

1. The Applicant has challenged the judgment and order dated 17.1.2024 passed in Special (POCSO) Case No.626/2021 passed by the learned Special Judge, POCSO, Pune whereby he was convicted under Section 376 of IPC and under Section 4 of the Protection of Children From Sexual Offences Act. The major sentence imposed on him was for R.I. for twenty years, besides imposition of fine.

2. Learned counsel for the Applicant submitted that the Applicant was unaware of the limitation period for filing the Appeal. He was financially poor. He could not engage a private Advocate and or did not have any relative to look after filing of Appeal. Therefore, there is delay of 38 days in filing the Appeal.

3. Considering these submissions, since the delay is only of 38 days, in the interest of justice it can be condoned.

4. Hence, the following order:

ORDER

- (i) The delay of 38 days in preferring the Appeal against the impugned judgment and order, mentioned hereinabove, is condoned.
- (ii) The Appeal be processed further.
- (iii) Interim Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)