

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

**INTERIM APPLICATION NO.3429 OF 2024
IN
CRIMINAL APPEAL [STAMP] NO.16661 OF 2024**

Ganesh Shital PatnayakApplicant
Versus
The State of Maharashtra
and another Respondents

Mr. Sujeet Bugade, Advocate (appointed) for the Applicant.
Smt. Sangita D. Shinde, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 02nd SEPTEMBER, 2024

P.C. :

1. This is an application for condonation of 1 year and 179 days delay in preferring the Appeal.
2. The Applicant was the original accused in Special Case (POCSO) No.300/2018 before the Special Judge under POCSO Act, Thane. The learned Judge, vide her judgment and order dated 7.12.2022 convicted the Applicant for commission of the offences punishable under Sections 375(b), 376(2)(f)(j)(n), 376AB of IPC as well as under Section 3(b) read with Section 4, Section 5(l)(m)(n) read with Section 6, Section 7

read with Section 8, Section 9(l)(m)(n) read with Section 10 and under Section 11 read with Section 12 of the Protection of Children From Sexual Offences Act, 2012 (for short, 'POCSO Act'). The major sentence imposed on him was for twenty years besides imposition of fine.

3. Heard Mr. Sujeet Bugade, learned appointed counsel for the Applicant and Smt. Sangita Shinde, learned APP for the Respondent-State.

4. Learned counsel for the Applicant submitted that the Applicant was in custody continuously since 7.9.2018. There was no one to look after his interest. He had to file Appeal with the assistance of the Legal Services Authority of this Court and, therefore, there is delay of 1 year and 179 days in filing the Appeal. Considering these submissions and in the interest of justice, the delay in filing the Appeal is condoned. The Appeal be processed further. The Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)