

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

CRIMINAL APPEAL (ST) NO. 18906 OF 2024
WITH
CRIMINAL INTERIM APPLICATION NO. 3825 OF 2024
WITH
CRIMINAL INTERIM APPLICATION NO. 3823 OF 2024
IN
CRIMINAL APPEAL (ST) NO. 18906 OF 2024

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Ganjendraprasad Chandrikaprasad Sharma

.... Appellant/
Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Amit A. Mane, for the Appellant/Applicant.
Ms. Ranjana Humane, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th OCTOBER, 2024.

P.C. :

1. Heard.
2. Issue notice to the Respondents, returnable 18th November, 2024.

3. Learned APP waives service of notice on behalf of the Respondent – State.

CRIMINAL INTERIM APPLICATION NO. 3823 OF 2024

1. Heard learned counsel for the Applicant and learned APP.
2. Learned counsel for the Applicant submits that the Applicant has been convicted for 20 years under Section 376 (2) (n) (f) of the Indian Penal Code, 1860 (for short “IPC) and Section 6 of the Protection of Children From Sexual Offences Act, 2012 (for short “POCSO”). Applicant is behind bar for than 9 years. Applicant is illiterate and he was not aware about the filing of the appeal due to his financial. He could not prefer the appeal within stipulated time, there is 6 years and 268 days delay for filing the appeal. Hence, requested to allow the application.
3. Considering the submissions of both learned counsel and reasons mentioned in the application, the application is allowed in terms of prayer clause (b) and disposed of the delay of 6 years and 268 days delay for filing the appeal is condoned.
4. Appeal be registered to file.

(SHIVKUMAR DIGE, J.)