



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPA NO. 718 OF 2024 (DELAY)

IN

CRIMINAL APPEAL ST. NO. 6079 OF 2024

Sudhakar @ Shankar @ Chandrya Jangluji Uike

.Vs.

The State of Maharashtra thr. Its PSO Railway Police Station, Akola District Akola

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. Amit B. Balpande, Advocate (appointed) for the appellant/applicant.

Mrs. Mukta Kavimandan, APP for the respondent/State.

CORAM : G.A. SANAP, J.

DATE : 03.08.2024

Heard learned Advocate for the applicant and
learned APP for the parties.

2. This is an application for condonation of 226 days delay caused in filing an appeal against the impugned judgment and order dated 30.11.2023 passed by the Extra Joint Additional Sessions Judge, Akola, whereby the applicant/accused, on conviction has been sentenced to suffer rigorous imprisonment for twenty years and pay a fine of Rs.10,000/-, in default of payment of fine to suffer rigorous imprisonment for one year for the offence punishable under Section 6 of the Protection

of Children from Sexual Offences Act (for short, “POCSO Act”) and to suffer rigorous imprisonment for seven years and pay a fine of Rs.10,000/-, in default of payment of fine to suffer further rigorous imprisonment for six months for the offence punishable under Section 363 of the Indian Penal Code and to suffer rigorous imprisonment for seven years and pay a fine of Rs.10,000/-, in default of payment of fine to suffer further rigorous imprisonment for six months for the offence punishable under Section 363-A of the Indian Penal Code.

3. It is stated that the applicant is poor. He is unable to engage the Advocate. On his request, Mr. A.M. Balpande, Advocate has been appointed by the Legal Aid Services Sub Committee, Nagpur. It is stated that he has a good case on merits and as such for adjudication of his appeal on merits, the delay needs to be condoned.

4. I have gone through the record and proceedings. I have heard learned Advocate and learned APP for the State.

5. In view of the facts stated in the application, delay of 226 days deserves to be condoned. I do not see any reason to discard and disbelieve the reasons stated in

the application.

6. Accordingly, the application is allowed.

7. Delay of 226 days caused in filing the appeal is condoned.

8. The appeal be registered.

9. The application stands disposed of, accordingly.

CRIMINAL APPEAL NO.

1. ADMIT.

2. Learned AGP waives service of notice on behalf of respondent.

3. Call record and proceedings.

(G. A. SANAP, J.)