



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

CRIMINAL APPLICATION (APPA) NO. 769 OF 2024

IN

CRIMINAL APPEAL ST. NO. 6628 OF 2024

Kapil S/o. Babulal Sharma

Vs.

The State of Maharashtra, thr. P.S.O., P.S. Pratap Nagar, Dist. Nagpur

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. A.A. Vastani, Advocate for the Appellant.

Mr. Suraj S. Hulke, APP for the Respondent.

CORAM : G. A. SANAP, J.

DATED : 21st AUGUST, 2024.

- . Issue notice to the respondent.
2. Learned APP waives the service of notice on behalf of the respondent.
3. Heard learned advocate for the appellant and learned APP for the respondent.
4. This is an application made by the appellant/accused for condonation of 226 days delay in filing the appeal against his conviction and sentence as per the order dated 25th October, 2023, passed by the learned Extra Joint District and Additional Sessions Judge (Special Judge, POCSO Court), Nagpur. The accused, on conviction, has been sentenced to suffer rigorous imprisonment for one year for the offence punishable under Section 363 of the Indian Penal Code, 1860, and rigorous imprisonment for twenty years for the offence punishable under

Section 6 of the Protection of Children from Sexual Offences Act, 2012.

5. The appellant has stated the reasons for delay in this application. Considering the reasons stated in the application and the nature of the impugned judgment and order challenged by the appellant, he deserves an opportunity of adjudication of his appeal on merits. Accordingly, 226 days delay in filing the appeal against the impugned judgment and order, is condoned.

6. The appeal be registered.

7. The application stands disposed of accordingly.

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8. Heard.

9. **ADMIT.**

10. Issue notice to the respondent.

11. Learned APP waives the service of notice on behalf of the respondent.

12. Call for the record and proceedings.

(G. A. SANAP, J.)

Vijay