

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

**INTERIM APPLICATION NO.3691 OF 2024
IN
CRIMINAL APPEAL [STAMP] NO.17235 OF 2024**

Suresh Lahanu NaikApplicant
Versus
The State of Maharashtra
and another Respondents

Mr. Vishal G. Salvi, Advocate a/w. Tejas P. Pawar for the
Applicant.
Ms. R.D. Humane, APP for the Respondent No.1-State.
Mr. Saroj N. Jadhav, Advocate for the Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 21st JULY, 2025

P.C. :

1. This is an Application for condonation of delay of 32 days in filing the Appeal against the judgment and order dated 8.5.2024 passed by the Special Judge, Raigad at Alibag in Special (Atrocity) Case No.13/2021. The Applicant and the co-accused were convicted for commission of the offences punishable under Sections 376, 328 read with 34 of IPC. The major sentence imposed on them was ten years RI.

2. Heard Mr. Vishal Salvi, learned counsel for the Applicant, Ms. R.D. Humane, learned APP for the Respondent No.1-State and Mr. Saroj Jadhav, learned counsel for the Respondent No.2.

3. Learned counsel for the Applicant submitted that the Applicant is from a poor financial background. He belongs to tribal community. He could not engage an Advocate immediately. Ultimately some of his relatives and friends helped him by collecting money to engage an Advocate. After great efforts he could file an Appeal.

4. Learned APP opposed these submissions. Learned counsel for the Respondent No.2 also opposed these submissions.

5. I have considered these submissions. Considering that the Applicant is from a poor financial background and in the interest of justice, I am inclined to allow this Application.

6. Hence, the following order :

ORDER

- (i) The Application is allowed. The delay of 32 days caused in filing the Appeal is condoned.
- (ii) The Appeal be processed further.
- (iii) Interim Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)

PRADIPKUMAR
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