

(2023) 10 GUJ CK 0014

In the Gujarat High Court

Case No : R/Criminal Misc.Application (For Condonation Of Delay) No. 17818 Of 2023 In F/Criminal Appeal No. 21398 Of 2023

Hirabhai Chelabhai Rabari

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 06-10-2023

Acts Referred:

Citation : (2023) 10 GUJ CK 0014

Hon'ble Judges : A.S. Supehia, J;Gita Gopi, J

Bench : Division Bench

Advocate : Ronak B. Raval, N R Desai

Final Decision : Allowed

Judgement

A.S. Supehia, J

1. Rule. Learned APP, waives service of notice of rule for Respondent-State of Gujarat.

2. The present application has been filed for condoning the delay of 44 days in filling Criminal Appeal against the judgment and order dated 03.03.2023 passed by the Special (POCSO) Judge and 7th (Adhoc) Additional Sessions Judge, Banaskantha at Deodar in Special (POCSO) Case No.18 of 2021.

3. Considering the submissions advanced by the learned advocate for the applicant, the averments made in the application and since the applicant is assailing his conviction and is in jail, in the interest of justice, the delay of 44 days in filling Criminal Appeal against the judgment and order dated 03.03.2023 passed by the Special (POCSO) Judge and 7th (Adhoc) Additional Sessions Judge, Banaskantha at Deodar in Special (POCSO) Case No.18 of 2021, deserves to be condoned.

4. The present application is allowed. The delay caused in filling Criminal Appeal is hereby condoned. Rule is made absolute to the aforesaid extent.