

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 476 OF 2026
IN
CR. APPEAL (ST.) NO. 2946 OF 2026

Vijay @ Yashwant Bhupal Sonavale ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

Mr. Pratik G. Tare i/b. Mr. Sachin Y. Mane for the Applicant.
Dr. A.A. Takalkar, A.P.P. for the Respondent No.1-State.
Ms. Manjusha M. Bhosale for the Respondent No.2.

Coram : ASHWIN D. BHOBE, J.

Date : 16th September 2026.

PER COURT :

1. Dr. A.A. Takalkar, learned APP for the State, mentions this matter and requests for taking up these Interim Applications out of turn on the ground that the complainant is served in the matter and a request is received from her for appointment of an advocate under the Legal Aid Scheme, as she is unable to engage a private advocate.

2. At the request of Dr. A. A. Takalkar, learned APP and with consent of

Mr. Pratik Tare, learned Advocate for the Applicant, these applications were taken up out of turn.

3. Dr. A. A. Takalkar, learned APP, suggests the name of Advocate Ms. Manjusha M. Bhosale for appointment as an advocate for Respondent No. 2. Ms. Manjusha M. Bhosale, learned Advocate, is present in Court and has agreed to appear and represent Respondent No. 2 in these proceedings.

4. Respondent No. 2 has consented to the appointment of Ms. Manjusha M. Bhosale, as her advocate. High Court Legal Services Committee, Bombay High Court, Circuit Bench at Kolhapur, to take note of appointment of Ms. Manjusha M. Bhosale, learned Advocate, under the Legal Aid Scheme.

5. Mr. Pratik Tare, learned advocate for the Applicant states that copies of the Applications would be furnished to Ms. Manjusha M. Bhosale, learned Advocate for Respondent No.2, forthwith.

6. Ms. Manjusha M. Bhosale, learned Advocate for Respondent No.2, submits that Interim Application No. 476 of 2026 being an application seeking condonation of delay, the same be taken up post-lunch.

7. At the request of Ms. Manjusha M. Bhosale, learned Advocate for Respondent No.2, and with consent of Dr. A. A. Takalkar, learned APP and Mr. Tare, learned Advocate for the Applicant, list this matter post-lunch.

- 8.** Heard Mr. Pratik Tare, learned Advocate for the Applicant, Dr. Takalkar, learned A.P.P. for the Respondent No.1-State and Ms. Manjusha Bhosale, learned Advocate for the Respondent No.2.
- 9.** By this Application, the Applicant is seeking condonation of delay of 132 days in filing Criminal Appeal.
- 10.** The Applicant is an accused, who stands convicted for the offenses punishable under Section 376(2)(n) of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act. The Applicant is sentenced to undergo rigorous imprisonment for a period of 20 years.
- 11.** The Applicant is in jail since 19th May 2019 and continues to remain in jail even after conviction awarded to him by Judgment and Order dated 13th January 2026.
- 12.** Mr. Pratik Tare, learned Advocate for the Applicant, by referring to paragraph No.4, submits that the delay in filing the Appeal is on account of the Applicant being young and without any parents.
- 13.** Ms. Manjusha Bhosale, learned Advocate for the Respondent No.2 submits that the Application for condonation of delay does not contain any cause, much less sufficient cause, to seek indulgence for condoning the delay of 132 days. She submits that the reason sought to be put forth by the

Applicant is ignorance of law, which according to Ms. Manjusha Bhosale cannot be a ground to condone the delay. She submits that the Applicant has failed to explain delay of each and every day, thereby warranting dismissal of the Application for condonation of delay.

14. Dr. Takalkar, learned A.P.P for the Respondent No.1-State submits that there is no cause shown by the Applicant to condone the delay of 132 days.

15. Perused the record.

16. Though Ms. Manjusha Bhosale, learned Advocate for the Respondent No.2 and Dr. Takalkar, learned A.P.P for the Respondent No.1-State, may be justified in their contention that this Application lacks the details pertaining to the cause for seeking condonation of delay, however, the fact remains that the Applicant is in jail from 2019 and continues to be in jail after the impugned Judgment and Order dated 13th January 2026. In such circumstances, the Applicant who stands convicted of the offenses in Sessions Special Case (Atro.) No. 47 of 19 would not gain by delaying the challenge to his conviction. In such circumstances, the delay of 132 days in filing the Appeal is required to be condoned. At any rate, no prejudice can be caused or claimed by the Respondents if the delay is condoned and the Appeal against conviction is heard on merits.

17. In view of the above, Interim Application No. 476 of 2026 is allowed.

- 18.** The delay of 132 days in filing the Appeal is condoned.
- 19.** The Registry is directed to register the Appeal.
- 20.** Ms. Manjusha Bhosale, learned Advocate was today appointed to represent the Respondent No.2 under the Legal Aid Scheme. She has assisted this Court in this Interim Application by representing Respondent No.2. The Bombay High Court Legal Services Committee, Kolhapur Circuit Bench, shall quantify and pay the fees of Ms. Manjusha Bhosale, learned Advocate for the Respondent No.2, as per the Legal Aid Scheme.

[ASHWIN D. BHOBE, J.]

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