

**Jeet Ram vs. Naresh Kumar alias Neshu a/w
connected matter**

**Cr.A.(A-DB) No. 23 of 2026 a/w
CRMPM No. 1140 of 2026**

Cr.A.(A-DB) No. 23 of 2026

29.09.2026

Present: Mr. Jagat Paul and Mr. Harish Kumar,
Advocates, for the appellant.

Mr. Rakesh Chauhan, Advocate, for the
respondent.

CRMPM No. 1140 of 2026

Mr. Jagat Paul and Mr. Harish Kumar,
Advocates, for the appellant.

Mr. Mehar Chand, Advocate, for the respondent.

CRMPM No. 1140 of 2026

This application has been filed by complainant
Jeet Ram for condonation of delay of 525 days in filing
appeal against respondent Gopal @ Nilu @ Anil, who has
been acquitted along with co-accused Naresh Kumar in
case FIR No. 79/2020, registered under Sections 364, 302,
201 read with Section 34 of Indian Penal Code, but was
convicted under Section 304 and 363 of Indian Penal
Code. Co-accused Naresh Kumar was acquitted from all
charges framed against him.

It is an admitted fact that applicant has also
preferred appeal against acquittal of co-accused Naresh
Kumar @ Neshu, who is respondent in Cr.A.(A-DB) No. 23
of 2026, wherein delay of 1 year 2 months and 15 days
has already been condoned in filing the appeal, as the

appeal was filed by the complainant after the expiry of limitation period.

It is also a matter of fact that earlier, the complainant had filed an appeal for enhancement of sentence against the present respondent, Gopal @ Nilu @ Anil, along with Cr.MP(M) No. 339 of 2026, which was listed before learned Single Judge.

After taking into consideration the totality of the circumstances, and further that the appeal against acquittal was to be filed, application for condonation of delay in filing present appeal was withdrawn on 07.04.2026. Thereafter, present proposed appeal has been filed along with this application.

As the applicant was pursuing his cause against the respondent by filing Cr.MPM No. 339 of 2026, the period in pursuing the matter in the said application deserves to be condoned by taking into consideration provisions of Section 14 of the Limitation Act, and the other delay in filing appeal is on the basis of the same reasons, on which the appeal preferred against co-accused Naresh Kumar, has been entertained by this Court, after condonation of delay in filing the said appeal, by allowing the application Cr.MPM No. 346 of 2026.

It is also fact that applicant is complainant and he was not associating in day-to-day hearings of the Trial Court, and therefore, normally in such cases, appeals are

preferred by the State and, therefore, for treating the present case also in the similar nature, as has been treated in Cr.A.(A-DB) No. 23 of 2026, we are of the considered opinion that delay in filing the appeal deserves to be condoned and, accordingly, delay is condoned.

Application stands disposed of.

Cr.A.(C-SB) No. _____ of 2026
Cr.A.(C-SB)ST No. 4451 of 2026

Appeal be registered.

Respondent is represented by the counsel, therefore, there is no need to issue process for service of respondent.

Respondent is directed to furnish personal bonds in the sum of Rs. 40,000/- with one surety in like amount to the satisfaction of the Trial Court on or before 02.11.2026, undertaking therein to appear before the Court concerned as and when directed to do so and also to surrender to serve the sentence, in case the appeal is allowed.

Bail bonds so furnished shall be transmitted by the Trial Court to the Registry of this Court for placing the same on record.

List for consideration on **08.12.2026** along with Cr.A.(A-DB) No. 23 of 2026.

Cr.A.(A-DB) No. 23 of 2026

Mr. Rakesh Chauhan, Advocate, had put in appearance by filing memo of appearance on behalf of

respondent, but today he has pleaded no instructions and submits that for want of instructions, he could not file power of attorney and he is not in a position to defend the respondent.

Respondent is duly served and despite that he has failed to make arrangement for his representation. Therefore, we are constrained to issue Non-Bailable Warrants against him for ensuring his presence in the appeal.

Accordingly, Non-Bailable Warrants, returnable on next date, be issued against respondent, returnable on next date.

List on **08.12.2026**.

(Vivek Singh Thakur)
Judge

(Bhupesh Sharma)
Judge

29th September, 2026
(Susheel)