



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (APPR) No. 327 of 2023

in

Criminal Revision Application St. No. 7974 of 2023

[Arjun @ Ajay S/o Govindrao Katkhede ..vs.. State of Maharashtra, through P.S.O., P.S. Balapur,
Dist. Akola]

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

Court's or Judge's orders

Mr. Sunil Kulkarni, Advocate for the applicant
Mrs. S. V. Kolhe, APP for the State

CORAM : ANIL L. PANSARE J.

DATED : 12-10-2023

The applicant/original accused intends to question the legality and correctness of the judgment and order dated 4-1-2021 passed by the Sessions Court, Akola in Cri. Appeal No. 206/2019 whereby the judgment and order dated 6-11-2019 passed by the Juvenile Justice Board, Akola in Reg. Juvenile Case No. 46/2014 convicting the applicant for the offences punishable under Sections 452, 427, 504 and 506 read with section 34 of Indian Penal Code (IPC) has been upheld. The applicant, being minor, Juvenile Justice Board has imposed a sentence of fine of Rs. 1500/-. Both the Courts below are against the applicant.

2. There occurred delay of 469 days in filing revision and, therefore, the present application is filed to condone the delay. The only reason put forth for condoning delay is that the applicant is a poor person and was unaware of the period of limitation. He visited the counsel and got the knowledge about the limitation. The applicant has,

however, not stated as to why did he suddenly visit the counsel and what had he done for 469 days.

3. Learned counsel for the applicant submits that he had visited the counsel in connection with case pending against his mother.

4. It appears that the applicant, applicant's elder brother and mother were charge-sheeted for the aforementioned offences. Since the applicant was minor, his case has been referred to Juvenile Justice Board. The trial against his brother and mother is pending before the Court of Magistrate at Akola. The applicant is said to have met the counsel in connection with said case.

5. If that be so, there is every reason to believe that the applicant must have met the counsel on earlier occasion as well. The reason put forth that after 469 days, he met with counsel, for no reason at all, is not a good ground to condone delay.

6. It is well settled that delay of each and every day may not be explained and it is further well settled that Court should be liberal while considering the application for condonation of delay, that does not mean that without any justification, the Court should condone the delay. The applicant failed to show sufficient cause for condoning the delay. Therefore, the application is rejected.

(Anil L. Pansare, J.)