



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 79 OF 2024
IN
CRIMINAL APPEAL STAMP NO.596 OF 2024

Prashil s/o Sudhakrarrao Nagpure and others

Vs.

State of Maharashtra, Through Police Station Officer, Police Station, Ajni
Nagpur and another

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

Court's or Judge's orders

Mr. A. P. Chaware, Counsel for the applicants.

Mr. S. V. Narale, APP for respondent No.1/State.

Mr. G. N. Khanzode, Counsel for the respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 11/12/2024

1. By this application, the applicants are seeking condonation of delay of 117 days which is caused in preferring the appeal.

2. It is submitted by the learned Counsel for the applicants that by this appeal, he has challenged the framing of the charge against the present applicants. He was intending to challenge the said order however, due to the mental as well as physical health of the applicant No.1, he could not approach to this Court for preferring the appeal.

3. Learned APP and learned Counsel for the respondent No.2 strongly objected the same on the

ground that there is no sufficient and reasonable cause for condonation of delay.

4. After hearing both the sides and on perusal of the application, it reveals that as per the contention of the applicant that due to ill-health, he could not approach to the Court to prefer an appeal. It is well settled that while considering the application for condonation of delay, the Court has to allow the parties to litigate their cause on its own merits. The liberal approach is to be taken while considering the delay application. In view of that, the delay caused is hereby condoned subject to the costs of Rs.3,000/-.

5. The appeal be registered.

6. The cost be paid to the respondent No.2.

7. The application is disposed of.

CRIMINAL APPEAL STAMP NO.596 OF 2024

1. On registration of the appeal, learned APP waives notice for the State.

2. The learned Counsel Mr. Khanzode waives notice for the respondent No.2.

3. The learned Counsel for the appellant shall furnish copy of the appeal memo and other relevant

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52.appa.79.2024

documents to the learned APP as well as learned Counsel for the respondent No.2.

4. Appeal be listed for the final disposal after its registration in a week commencing from 13.01.2025.

(URMILA JOSHI-PHALKE, J.)

Sarkate