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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**956 CRIMINAL APPLICATION NO. 2081 OF 2024
IN
APEALST/5841/2024**

**Yogesh Pandit Landge And Another
VERSUS
The State Of Maharashtra And Others**

.....
Ms. Prajakta P. Deshmukh, Advocate h/f Mr. Milind M. Patil,
Advocate for Applicant
Mr.N.D. Batule, APP for Respondent No.1 - State
Mr. Neha Udavant, Advocate h/f Mr. S.J. Salunke, Advocate for
Respondents No.2 to 2

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 07 AUGUST, 2025

PER COURT :-

1. This is an application for condonation of delay of 182 days caused in filing the appeal against the judgment and order of acquittal passed by learned Sessions Judge, Latur dated 25.03.2021.

2. Learned counsel for the applicants pointed out that Applicant No. 2 is a widow, whose husband committed suicide. That, initially, her brother Vilas Bhanudas Landge (the informant), had filed Criminal Appeal No. 550 of 2021 against the acquittal. However, the said appeal was dismissed on

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14.03.2023 for want of prosecution. Learned counsel points out that, unfortunately, applicants got knowledge of the said dismissal in the second week of February, 2024. Thereafter, the present application for condonation of delay in filing the appeal against acquittal has been filed. Learned counsel further submitted that the delay is unintentional and caused only due to lack of knowledge.

3. Learned counsel Ms. Neha Udavant, holding for Mr. S.J. Salunke, learned counsel for respondents No. 2 to 4, strongly objected on the ground that there is an inordinate delay in preferring the appeal and that no plausible explanation has been mentioned in the application. She, therefore, urged for dismissal of application. She has placed reliance on the decision of Hon'ble Apex Court in ***Mohd. Abaad Ali and Anr. Vs. Directorate of Revenue, Prosecution Intelligence*** [Criminal Appeal No. ____ of 2024 (arising out of SLP (CRL.) No.2052 of 2017)].

4. After considering the above submissions, and in order to provide a fair opportunity of hearing and in the interest of justice, the delay caused in preferring the appeal against acquittal deserves to be condoned. Hence, the following order:

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ORDER

- (I) Criminal Application is allowed.
- (II) Delay caused in preferring the appeal against acquittal is hereby condoned.
- (III) Appeal be registered.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane