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IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.43 OF 2024
IN
CRIMINAL APPEAL NO. 123 OF 2024-FILING

INGRID BLOSSOM LOBO ...APPLICANT.
VS
MAX MENEZES AND ANR ...RESPONDENTS.

Ms Samiksha Vaigankar, Advocate for the Applicant/
Appellant.

CORAM:- SHREERAM V. SHIRSAT, J.

DATED:- 19th November, 2025.

P.C.:

1. The Appellant has moved the present application seeking condonation of delay of 167 days in filing the Special Leave to Appeal challenging the Judgment and Order dated 08.05.2023 passed by the Learned JMFC, Mapusa in Criminal Case No. OA/17/NIA/2012/F thereby acquitting the Respondent, which has seriously prejudiced the proprietary and financial rights of the Appellant.
2. The Appellant has explained that the delay occurred due to her acute allergic rhinitis, bronchitis, and consequent

inability to pursue the matter immediately. She further states that she was under considerable mental stress, having lost her entire hard-earned money due to the alleged fraud of the Respondent. Owing to her ill-health, lack of legal knowledge, and inability to promptly coordinate with the legal aid advocate from whom she later sought assistance, she could not obtain the necessary documents or give timely instructions. Upon obtaining all relevant documents, the appeal was prepared without further delay, but by then a delay of 167 days had occurred.

3. The Appellant submits that the delay is neither deliberate nor intentional but caused by circumstances beyond her control, particularly her medical condition. She asserts that she has a strong case on merits and that refusal to condone the delay would cause grave prejudice to her, whereas no prejudice would be caused to the Respondent, who despite service, has not contested the present application. The Appellant thus prays for the exercise of powers under Section 5 of the Limitation Act, 1963, to condone the delay.

4. Having considered the grounds urged and being satisfied that sufficient cause has been shown, this Court is of

the view that the explanation furnished is bona fide and the delay deserves to be condoned in the interest of justice. Accordingly, the delay of 167 days in filing the accompanying Special Leave to Appeal is hereby condoned. The Registry is directed to register the Appeal and proceed in accordance with the law.

SHREERAM V SHIRSAT, J.