

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.4741 OF 2023
IN
CRIMINAL APPLICATION (ST) NO.23870 OF 2023
(For Leave to Appeal)**

WITH

**CRIMINAL APPLICATION (ST) NO.23870 OF 2023
(For Leave to Appeal)**

The State of Maharashtra

.... Applicant

versus

Rahul Balaso Jadhav

.... Respondent

.....

- Smt. M. H. Mhatre, APP for the State/Applicant.
- Mr. Yashpal M. Thakur, appointed Advocate for Respondent No.1.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**

DATE : 17th FEBRUARY, 2025

P.C. :

1. This is an application for condonation of delay of 59 days in preferring Appeal against the Judgment and order dated 26/06/2023 passed by the learned Additional Sessions Judge, Sangli, in Session Case No.187 of 2021.

2. By the impugned Judgment and Order, the learned Judge acquitted the Respondent No.2 from the charges u/s 302 and other offences.
3. Learned APP submitted and it is also mentioned in the application that after the order was passed, an application for certified copy was made on 30/06/2023. It was made available on 15/07/2023. Thereafter, an proposal was sent to the Law and Judiciary Department, Mantralaya, with the recommendation from the learned APP. The office of the Public Prosecutor of this Court received the papers on 06/11/2023 with a Government Resolution for filing the Appeal. After that, the Appeal was filed on 06/12/2023. In the process, there was delay of 59 days in filing the Appeal.
4. Learned counsel for Respondent could not oppose the reasons mentioned in paragraph Nos.3 and 4 of the application.
5. Considering the steps taken by the State in preferring the Appeal and explanation offered, we are inclined to condone the delay.

6. Hence, the following order :

ORDER

- (i) The delay of 59 days in preferring the Appeal along with the application for leave to file Appeal against the acquittal, is condoned.
- (ii) The Appeal including the prayer for leave to file Appeal, be placed for consideration on 03/03/2025.
- (iii) The Interim Application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)