

Ashish

ASHISH
SAHEBRAO
MHASKE

Digitally signed by
ASHISH
SAHEBRAO
MHASKE
DN: cn=ASHISH SAHEBRAO
MHASKE, o=, ou=, email=ashish.sah
19-27-11 +0530

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

**INTERIM APPLICATION NO. 451 OF 2025
IN
CRIMINAL REVISION APPLICATION (ST) NO. 2175 OF 2025**

Omprakashsingh Ratansingh Chauhan	
and anr	... Applicants
V/s.	
State of Maharashtra & Ors	... Respondents

Ms. Kalyani Mangave, for the applicant.

Mrs. Rajashree Newton, APP for respondent – State.

Mr. Iqbal Shaikh i/b Mr. Ganesh Pawar, for respondent
nos.2 and 3.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 15, 2025

P.C.:

1. This application seeks condonation of delay of one year and fifty days in filing a revision against the order of discharge. The delay is not minor, and therefore, the reasons offered by the applicants must be examined carefully. The law does not encourage indolence but also does not punish genuine causes of delay. The guiding consideration is whether sufficient cause, supported by credible explanation, has been shown for not filing the revision within the prescribed period.

2. During the hearing, the learned Advocate for the accused argued the matter on merits. However, when the Court inquired

whether a reply was filed to the application, he sought time to file one. This conduct shows that the non-filing of a reply was not due to lack of opportunity but due to the defence opting to contest the matter only after realizing the need to place their stand on record.

3. The learned Advocate opposing the application fairly submitted that ordinarily such delay applications are not opposed. Yet, having regard to the facts of the case, he urged that the reasons assigned by the applicants are not satisfactory. He pointed out that proceedings were pending before the Burhanpur Court and that the applicants were fully aware of the same. According to him, the applicants had even engaged a watching advocate to keep track of the case, which shows that they were not ignorant of its pendency. Hence, their explanation that they came to know of the discharge order belatedly lacks credibility.

4. I have considered the explanation tendered in paragraphs 24 to 29 of the application. On examining the record, it appears that the applicants were not entirely negligent. The explanation given, when read with supporting documents, shows that they were pursuing related proceedings and that some confusion regarding the progress of this particular case led to the delay. The explanation appears bona fide and not intended to gain any unfair advantage.

5. In matters of condonation of delay, the Court must adopt a liberal approach when the applicant shows sufficient cause that is reasonable and supported by some material. The object of the law is to advance justice, not to defeat it on technical grounds. Having

regard to this principle and the reasons stated in the application, I find that the applicants have shown sufficient cause for condonation of delay.

6. Hence, the application deserves to be allowed. The delay of one year and fifty days in filing the revision application is condoned. The application is accordingly allowed in terms of prayer clause (1).

(AMIT BORKAR, J.)