

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

**INTERIM APPLICATION NO. 686 OF 2025
AND
APPLICATION FOR LEAVE TO APPEAL (STATE)
(ST) NO. 3217 OF 2025**

The State of Maharashtra

...Applicant

V/s.

Vishnu Balu Redekar and Anr.

...Respondents

Ms. P. P. Bhosale, APP for the Applicant-State.

CORAM : N.R. BORKAR, J.

DATE : 09.07.2025.

P.C. :

1. This is an application for condonation of delay in filing appeal by the state against the judgment and order dated 03.06.2024 passed by the Judicial Magistrate First Class, Gadhinglaj, Dist. Kolhapur in Regular Criminal Case No. 131 of 2015, by which the learned Judicial Magistrate has acquitted the respondents-accused for the offences punishable under Sections 324, 323, 504 and 506 read with 34 of the Indian Penal Code.

2. Admittedly, Section 324 is a cognizable and non-

bailable. The state therefore ought to have filed the appeal before the Sessions Court in terms of Section 378(1)(a) of the Code of Criminal Procedure. The present application/appeal, thus, cannot be entertained and disposed of as such with liberty to the state to file appeal before the Sessions Court.

[N.R.BORKAR, J.]