

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

**INTERIM APPLICATION NO. 1771 OF 2025
IN
CRIMINAL APPEAL (ST) NO. 9911 OF 2025**

Rushikesh (Bhaiyya) Sharad Suryawanshi ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Ms. Neha Balani i/b. SRK Legal for Applicant.
Ms. Kranti T. Hiwrale, APP for State/Respondent.
Ms. Deepti Chand (Appointed Advocate) for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
ADVAIT M. SETHNA, JJ.**

DATE : 21 AUGUST 2025

PC :

1. This is an application for condonation of the delay of 64 days in filing the present Appeal. The present Appeal is filed against the Judgment and order dated 14.02.2025 passed by the learned Additional Sessions Judge, Nashik, in Sessions Case No.23 of 2019. Learned Judge convicted the Appellant for commission of the offence punishable U/s.376(1), 323, 506 and 201 of the I.P.C.

2. According to the Appellant, the delay was caused

because of non receipt of crucial documents from the Trial Court for the purpose of filing this Appeal. The process, thus, could not be completed in time. The delay was not intentional and was inadvertent. If the delay is not condoned, prejudice would be caused to the Appellant.

3. The Respondent No.1 does not seriously oppose the application for condoning the delay. The Respondent No.2 opposed this application.

4. However, considering the above submissions, in the interest of justice, it would be just and proper to condone the delay of 64 days in filing this Appeal by passing the following order.

O R D E R

- i) The Application is allowed in terms of prayer clause (b).
- ii) The Appeal be processed further.
- iii) In terms of above, the Application is accordingly disposed of.

(ADVAIT M. SETHNA, J.)

(SARANG V. KOTWAL, J.)