

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

**INTERIM APPLICATION NO.2745 OF 2025
IN
CRIMINAL APPEAL (ST) NO.15106 OF 2025**

Rajendra Padmakar Tayade Applicant
versus
The State of Maharashtra Respondent

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- Mr. Akshay Bankapur a/w Mr. Himanshu S. Gavit a/w Mr. Yogesh Ugale a/w Saurabh G. Utangale, Advocate for Applicant.
- Ms. Sangita D. Shinde, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 04th AUGUST, 2025**

P.C. :

1. This is an application for condonation of delay of 538 days in filing Appeal against the Judgment and Order dated 28/11/2023 passed by the learned Special Judge, Nashik, in Special case (POCSO) No.50/2022.

2. The Applicant was convicted for commission of offence punishable u/s 354-A(1)(iii) r/w 354-A(2) of the Indian Penal Code and he was sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.1,000/- and in default of

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payment of fine to suffer further rigorous imprisonment for one month. The Applicant was acquitted from the charges of commission of offence punishable u/s 12 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned counsel for the Applicant submitted that it is not justifiable, but the Applicant was unaware of the period of limitation. He submitted that he was suffering from Tuberculosis. There is no other male member in his family to look after is interest and therefore there was delay in filing the Appeal.
4. Learned APP does not have serious objection for condonation of delay.
5. Considering these submissions and in the interest of justice, the delay of 538 days in filing the Appeal is condoned.
6. The Appeal be processed further.
7. The Application is disposed of.

(SARANG V. KOTWAL, J.)