

INTERIM APPLICATION NO.3141 OF 2025
IN
CRIMINAL APPEAL (ST) NO.17031 OF 2025

Ramavtar Chhotelal Sharma Applicant

versus

The State of Maharashtra & Anr. Respondents

● ● ● ● ● ● ●

- Mr. Satish R. Mishra a/w Divya T. Ranpise a/w Shivani Kumari, Advocate for Applicant.
- Mr. K. V. Saste, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL &
ADVAIT M. SETHNA, JJ.
DATE : 25th AUGUST, 2025

P.C. :

1. This is an application filed for condonation of delay of 140 days in filing the present Appeal. The present Appeal challenges the Judgment and Order dated 16/01/2025 passed by the learned Additional Sessions Judge, Vasai, in Sessions Case No.89/2016. By the said judgment the Applicant was convicted for the offence punishable u/s 302, 120-B, 364-A, 386, 201 r/w 34 of the Indian Penal Code and was sentenced to undergo life imprisonment. The Appellant is in custody since 19/05/2016.

2. Learned counsel for the Applicant submits that the reasons attributable to such delay are that when the Applicant was lodged in Thane Central Prison, the certified copies of the judgment could not be obtained in time and there was some administrative delay in obtaining the same judgment. His family is from very poor background with a limited financial means. The legal process of preparing, revising and drafting the criminal Appeal took time despite exercising due diligence. He submitted that such delay is not intentional and grave prejudice would be caused to the Applicant if the delay is not condoned.
3. Learned APP Mr. K. V. Saste does not have serious objection for condonation of delay.
4. Considering the facts and circumstances and in the interest of justice, the delay of 140 days in filing the Appeal is condoned by passing the following order :

ORDER

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

(ADVAIT M. SETHNA, J.)

(SARANG V. KOTWAL, J.)