



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) No. 177 OF 2025 IN
CRIMINAL APPEAL STAMP NO. 1511 OF 2025

Prakash Tekchand Upwanshi VS State of Maharashtra and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.S. Taram, counsel for the applicant.

Mr. V.A.Thakre, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/02/2025.

1. By this application, the applicant is seeking condonation of delay, which is caused in preferring the appeal.
2. As per the contention of the applicant, he is the sole bread earner of the family and earns his livelihood by doing private work. As he is convicted, there is nobody to look after his family as well as to arrange for his defence, and therefore, he could not arrange the financial assistance to engage the counsel to prefer the appeal, and therefore delay of 30 days is caused.
3. Learned APP strongly opposed the said application on the ground that there is no sufficient and satisfactory reason for condonation of delay.
4. After hearing both sides and on perusal of the application, I think the reasons assigned by the applicant for condonation of delay appear to be reasonable and justifiable. In view of that, the application deserves to be allowed.

5. The delay of 30 days is condoned.
6. Appeal be registered along with the application for suspension of sentence.
7. Learned APP waives notice for respondent/State in the appeal as well as on the application for suspension of sentence.
8. Stand over after **one week** for filing reply.

[URMILA JOSHI-PHALKE, J.]