



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.68 OF 2025
IN
CRIMINAL REVISION APPLICATION (ST.) NO.2148 OF 2025
(Kalyan Shivaji Ubale and anr. Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr. A.M. Kukday, Advocate for the appellants.
Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 26, 2025.

By this application, the applicants are seeking condonation of delay of 504 days which is caused in preferring criminal revision application.

2. As per the contention is that he was not aware about the legal provisions though he is given the benefits of Section 4 of the Probation of Offenders Act, 1958 but it may affect his service career. In fact, no case is made out against him and he has many arguable points in the present revision but if delay is not condoned then he would lose the opportunity of challenging the said judgment and order of conviction. The preferring of the revision is the right of the accused and that right would be affected if the delay is not condoned.

3. Learned APP strongly opposed the same and submitted that the delay application is without sufficient and satisfactory reasons, and therefore, the application deserves to be rejected.

4. Considering the submissions made by the learned Counsel for the applicants though length of delay is sufficiently long then also considering his right of preferring the revision would be affected if the opportunity is not granted to him by condoning the delay. However, delay is to be condoned subject to the costs of Rs.2000/-.

5. The costs be paid to the Government Pleaders Library, Nagpur.

6. Hence, the application is allowed and delay of 504 days is condoned.

7. The revision be registered after depositing the costs by the applicant.

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8. On registration of the revision, notice be issued to the respondent.

9. Learned APP waives notice for the State.

10. Call for R. & P

11. Revision be listed for the final disposal after receipt of the R. & P

(URMILA JOSHI-PHALKE, J.)