



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

CRIMINAL APPLICATION (APPA) NO. 1263/2024 IN
CRIMINAL APPEAL (ST) NO. 6670/2024

(Murlidhar S/o Meghraj Bhattad Vs. State of Maharashtra & ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.J. Mehta, Advocate for applicant.

Mr. A. M. Joshi, APP for non-applicant No.1.

CORAM: M. M. NERLIKAR, J.

DATED : 16/09/2025.

Heard.

2. On oral request of the applicant, leave is granted to correct the title cause.

3. Correction be carried out forthwith.

4. Though the respondent Nos.2 to 4 are served, no one appears on their behalf.

5. By this application, the applicant is praying to condone the delay in preferring the appeal against acquittal. The accused was acquitted for the offence punishable under Sections 354, 323, 325, 294, 448, 427, 504, 506 read with Section 34 of the Indian Penal Code. There is delay of 51 days in preferring the present appeal. The applicant has explained the delay in paragraph No. 4 which reads as under:-

"4 That, the Appellant visited the office of counsel Nagpur in mid-May, at the time when vacation was going on. Thereafter, the counsel prepared the Criminal Appeal, however, the Appellant could not come to Nagpur to swear-in on the Appeal as he was undergoing treatment for a month and was advised

complete rest for around 40-45 days. It is also state that thereafter, due to heavy rains in Gadchiroli district, the Appellant could not travel in these conditions, considering his recovering health. Thereafter, when he came to Nagpur, to sign on the Appeal and swear in, it was also noticed that some of the documents required to be annexed to the Criminal Appeal were not available with the Appellant. Hence, he called his counsel at Gadchiroli and asked him to give his Office Copy. It submitted that, this exercise of obtaining the necessary documents from the counsel at Gadchiroli, and bringing the same to the office of counsel at Nagpur consumed considerable amount of time.”

6. For the reasons set out in the application, the delay of 51 days caused in preferring the appeal stands condoned subject to cost of Rs. 500/- to be deposited in this Court. After deposit, the amount of Rs.500/- be transferred to the Legal Aid Services Sub-Committee, High Court, at Nagpur Bench.

7. Application stands disposed of.

CRI. APPA (ST) NO. 6671/2024

1. Issue notice to the respondents returnable on 01.10.2025. Learned APP waives service of notice for respondent/State.

(M. M. NERLIKAR, J.)