



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

Criminal Application [APPA] No.974 of 2024

in

Criminal Appeal St. No.8191 of 2024

Sumanbai Bhimrao @ Bhagwat Sarkate

vs.

*State of Maharashtra, through its P.S.O., Police Station Washim (Rural),
Tq. & Dist. Washim and others*

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

*Mr. R.A. Bhojar, Advocate (appointed) for the Applicant/Appellant.
Mrs. Shamshi Haider, A.P.P. for Non-Applicant/Respondent No.1.
Mr. V.K. Paliwal, Advocate for Non-Applicant/Respondent Nos.2 to 4.*

CORAM : ANIL L. PANSARE & M.M. NERLIKAR, JJ.

DATE : 20th AUGUST, 2025.

Heard.

02. The present application is being filed by the victim for condonation of delay in filing the appeal against the judgment and order of acquittal.

03. Mr. V.K. Paliwal, learned Counsel for non-applicant Nos.2 to 4 vehemently opposes the application saying that there is no sufficient reason given in the application.

04. Paragraphs 2 and 3 show the reasons for condonation of delay, which read thus :

“2] The applicant/appellant is old aged lady and layman and residing at the remote control area. She does not know the procedure of law. After knowledge of the passing of impugned judgment and order dated 04/05/2023, she applied for certified copy and same was received on 23/01/2024. After receiving the certificate of the same, she approached the local Counsel, the local Counsel advise to the appellant to file the appeal

before the Hon'ble High Court.

3] It is further submitted that due to poverty, she could approach the Counsel at Nagpur and, therefore, she approached the High Court Legal Services Sub-Committee, Nagpur and on the application, the present Counsel is appointed on behalf of the appellant. After appointing the Counsel, the Counsel preferred the present appeal and, therefore, the delay of 273 days is caused in filing the present appeal.

05. We accept the same as sufficient reasons and condone the delay of 273 days caused in filing the appeal by allowing the application.
06. Registry shall register the appeal. The application is disposed of accordingly.
07. List the matter after two weeks.

(M.M. Nerlikar, J.)

(Anil L. Pansare, J.)

**sandesh*