



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

**Criminal Application (APPA) No. 773 of 2025
in**

Criminal Appeal No. of 2025

Shishupal @ Suraj S/o Maroti Mahure

Versus

**State of Maharashtra through Police Station Officer, Police Station MIDC,
Nagpur**

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

Court's or Judge's Order

Ms. F.N.Haider, Advocate h/f Shri R.M.Daga, Advocate
for the applicant.

Shri S.S.Hulke, APP for the respondent/State.

CORAM : NIVEDITA P. MEHTA, J.

DATED : 22nd SEPTEMBER, 2025.

The applicant has preferred this appeal
assailing the judgment dated 22nd December, 2013
passed by the learned Extra Joint District Judge &
Additional Sessions Judge, Nagpur in Special POCSO
Case No. 407 of 2022, thereby convicting the applicant
under Sections 6 and 4 of the Protection of Children
from Sexual Offences Act, 2012.

2. The present application is filed seeking condonation of delay of 567 days in preferring the appeal against the said sentence.

3. The learned counsel for the applicant submits that applicant is in jail from 10th June, 2022. Learned counsel for the applicant submits that the applicant was illiterate and was not aware of the legal procedure. It is only after the earlier counsel informed the applicant about his rights, the applicant preferred the appeal. Moreover, it is submitted that the delay is not deliberate or intentional, but due to the situation beyond the control of the applicant, he would not file the appeal on time. Accordingly, he prays to allow the application for condonation of delay.

4. Per contra, learned Additional Public Prosecutor strongly opposed the application and submitted that no sufficient reasons are demonstrated in the application of condonation of delay and hence the same is liable to be rejected.

5. Having considered the submissions, this Court is of the opinion that the explanation offered by the applicant is sufficient to condone the delay. Accordingly, the delay of 567 days is condoned in filing the appeal. Office is directed to register the appeal.

6. Criminal application is disposed of.

Criminal Appeal Stamp No. 7665 of 2025

Heard.

2. **ADMIT**

3. Call record and proceedings.

4. Registry is directed to prepare the paper book.

[NIVEDITA P. MEHTA, J.]