



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

**Criminal Application (APPA) No. 808 of 2025
in
Criminal Appeal Stamp No. 8127 of 2025**

Eknath Mahadevrao Bhutte

Versus

**The State of Maharashtra through Police Station Officer, Kemandva, Tah.
Jiwati, Dist. Chandrapur**

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

Court's or Judge's Order

Shri M.V.Rai, Advocate for the appellant.

Shri A.R.Chutke, APP for the respondent/State.

**CORAM : NIVEDITA P. MEHTA, J.
DATED : 25th SEPTEMBER, 2025.**

The applicant has preferred this appeal assailing the judgment dated 30th April, 2025 passed by the learned Special Judge under POCSO Act, Chandrapur in Special POCSO Case No. 207 of 2022, thereby convicting the applicant under Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 449 of Indian Penal Code.

2. The present application is filed seeking condonation of delay of 81 days in preferring the appeal against the said sentence.

3. The learned counsel for the applicant submits that the applicant is in jail from 30th April, 2025. Learned counsel for the applicant submits that the applicant is a farmer and his parents are old aged and having several ailments. After consulting with the counsel, applicant came to know about his legal rights, therefore, applicant preferred the present 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 81 days is condoned in filing the appeal. Office is directed to register the appeal.

6. Criminal application is disposed of.

Criminal Appeal Stamp No. 8127 of 2025

Heard.

2. **ADMIT.**
3. Call record and proceedings.
4. Registry is directed to prepare the paper book.

[NIVEDITA P. MEHTA, J.]