



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

CRIMINAL APPLICATION (APPA) NO. 901 OF 2025

IN

CRIMINAL APPEAL (STAMP) NO. 9080 OF 2025

(Kishor s/o Maharuji Gedam ..vs.. The State of Maharashtra, through PSO, PS Mul, District Chandrapur)

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

Court's or Judge's orders

Mr. A.M. Balpande, Counsel for the applicant/appellant,
Mr. Amit Chutke, Addl.P.P. for the respondent/State.

CORAM : NIVEDITA P. MEHTA, J.

DATE : 19-11-2025

The present application has been filed seeking condonation of delay of 144 days in filing the appeal. The applicant has assailed the judgment and order dated 19-03-2025 passed by the learned Special Judge under the POCSO Act, Chandrapur in POCSO Special Case No. 73/2023.

2. The learned Counsel for the applicant/appellant submits that the applicant, being in incarceration, was not aware of the legal remedies available to him against the conviction awarded. It is further submitted that the applicant, being a labourer, was unable to engage a private counsel to file the present appeal. Consequently, the applicant requested that he be represented through legal aid. The High Court Legal Services Sub-Committee, Nagpur accordingly appointed Mr. A.M. Balpande, learned Counsel, to represent the applicant and to file the appeal. It is submitted that the time consumed in completing these formalities was neither deliberate nor intentional. Hence,

the delay in filing the appeal be condoned.

3. Per contra, the learned Additional Public Prosecutor has opposed the application, contending that the grounds stated do not constitute sufficient cause for condoning the delay.

4. Having considered the submissions advanced by the learned Counsel for the applicant and the learned Additional Public Prosecutor for the respondent, and upon perusal of the record, this Court is of the view that sufficient cause has been made out for the delay in filing the appeal. The reasons assigned by the applicant appear to be satisfactorily explained. Accordingly, the delay of 144 days in filing the appeal is condoned. The application is disposed of. The appeal be registered.

Criminal Appeal Stamp No. 9080/2025.

Heard.

2. **Admit.**

3. Call record and proceedings.

4. Mr. Amit Chutke, learned Additional Public Prosecutor waives service of notice for the respondent/State.

5. List the matter after the record and proceedings is received.

(NIVEDITA P. MEHTA, J.)