



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

Criminal Application [APPA] No.998 of 2025

in

Criminal Appeal St. No.10684 of 2025

Chetan @ Ankit s/o Ramsevak Gautam

vs.

State of Maharashtra, through Police Station Officer, Arvi, District Wardha

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

Court's or Judge's Orders

Mr. N.D. Dawda, Advocate for the Applicant.

Mrs. H.N. Prabhu, A.P.P. for the Non-Applicant/State.

CORAM : NIVEDITA P. MEHTA, J.

DATE : 12th DECEMBER, 2025.

Heard.

2. The applicant has preferred the present application seeking condonation of delay of eight days caused in filing the appeal challenging the judgment dated 30/09/2025 passed in Special Case No.179/2020 by the learned Special Judge (POCSO Act), Wardha.

3. Learned counsel for the applicant submits that due to his poor financial condition, the applicant was unable to contact his counsel in time and, being in incarceration, he could not immediately avail the legal remedy of filing an appeal against his conviction. It is further submitted that the applicant has a good *prima facie* case on merits and has every likelihood of succeeding in the appeal. Hence, it is prayed that the delay in preferring the appeal be condoned.

4. *Per contra*, the learned Additional Public Prosecutor strongly opposed the application, contending that the applicant has failed to show sufficient cause for condonation of delay, and therefore, the application deserves rejection.

5. Having considered the rival submissions and upon perusal of the material on record, this Court is satisfied that the applicant has made out sufficient cause for not filing the appeal within the prescribed period of limitation. Accordingly, the delay of eight days in filing the appeal stands condoned. The office is directed to register the appeal.

6. The criminal application is allowed and disposed of accordingly.

Criminal Appeal St. No.10684/2025:

Heard.

2. **Admit.**

3. Mrs. H.N. Prabhu, learned A.P.P. waives service of notice on behalf of the respondent/State.

4. Call record and proceedings.

5. Registry is directed to prepare the paper-book.

Criminal Application [APPA] St. No.10686/2025:

The applicant has preferred the present application under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking suspension of sentence and grant of bail pending the criminal appeal.

2. Issue notice to the non-applicants, returnable on 24th December, 2025.

3. Mrs. H. N. Prabhu, learned A.P.P., waives service of notice on behalf of the non-applicant/State and seeks time to file a reply.

4. Time, as sought, is granted.

5. List the matter for further consideration on 24th December, 2025.

JUDGE