



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

Criminal Application [APPA] No.1017 of 2025

in

Criminal Appeal St. No.10952 of 2025

Suraj Bhanudas Pakhide

vs.

State of Maharashtra, Through P.S.O., P.S. Pratapnagar, Nagpur and another

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

Court's or Judge's Orders

Mr. A.A. Krishnan, Advocate for the Applicant/Appellant.

Mr. A.R. Chutke, A.P.P. for Non-Aplicant/Respondent No.1.

CORAM : NIVEDITA P. MEHTA, J.

DATE : 23rd DECEMBER, 2025.

Heard.

2. The applicant has preferred the present application seeking condonation of delay of 143 days in filing the appeal challenging the judgment and order dated 25.04.2025 passed by the learned Special Judge (POCSO Act), Nagpur, in Special (Child Protection) Case No.203 of 2017.

3. Learned Counsel for the applicant submits that the applicant was unaware of the legal procedures and complexities involved in filing the appeal and was, therefore, unable to secure appropriate legal assistance within the prescribed period of limitation. It is further submitted that the applicant has a strong prima facie case on merits and there is every likelihood of success in the appeal. If the delay is not condoned, the applicant's statutory

right to challenge the impugned judgment would be defeated. It is contended that the delay is neither intentional nor deliberate and deserves to be condoned in the interest of justice.

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

5. Having considered the rival submissions and the reasons stated in the application, this Court is of the considered opinion that the applicant has made out sufficient cause for not preferring the appeal within the prescribed period of limitation. In the interest of substantial justice, the delay of 143 days caused in filing the appeal deserves to be condoned.

6. Accordingly, the delay of 143 days in filing the appeal is hereby condoned. The Office is directed to register the appeal.

The criminal application stands allowed and disposed of accordingly.

Criminal Appeal St. No.10952/2025:

Heard.

2. **Admit.**

3. The learned A.P.P. waives service of notice on behalf of the respondent/State.

4. Call for the record and proceedings.

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

Criminal Application [APPA] St. No.10979/2025:

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 7th January, 2026.

3. The 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 7th January, 2026.

JUDGE

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