



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

CRIMINAL APPLICATION NOS.454/2025 & 455/2025

IN

CRIMINAL APPEAL NO. 522/2017

**Baldeo Rambhau Rathod Vs. State of Maharashtra, through Police Station Officer,
PS. Washim City.**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Shubhankar Chimote, Advocate for Applicant
Mrs. S.N. Thakur, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 11th NOVEMBER, 2025

1. The appellant has preferred the present appeal challenging the judgment and order dated 05.09.2017 passed by the learned Additional Sessions Judge, Washim in A.C.B. Case No. 5/2023, whereby the appellant was convicted for the offences punishable under Section 7 and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988.

2. The present applicant has filed an application seeking condonation of delay in filing the application for continuation of the appeal, as well as an application under Section 435 of the Bhartiya Nagarik Suraksha Sanhita, 2023 by the Legal Representative's of the deceased appellant seeking permission to continue with the appeal.

3. It is submitted by the learned counsel for the applicant that during the pendency of the present

appeal, the original appellant expired on 23.11.2024, and a copy of the death certificate has been placed on record. It is further submitted that the legal representatives of the deceased appellant is desirous of prosecuting the appeal and has, therefore, filed an application seeking setting aside of abatement and substitution of the legal representatives of the deceased appellant in the cause title in his place.

4. There is a delay of 129 days in filing the said application for setting aside abatement. For the reasons stated in the application, the delay is condoned.

5. The application for setting aside abatement and for permitting the legal representative of the deceased appellant to continue the appeal is allowed. The legal representatives of the deceased appellant are accordingly permitted to prosecute the appeal.

6. Necessary amendment in the cause title be carried out within a period of **two weeks** from today.

7. The paper book has already been prepared and the respective parties have obtained copies thereof.

8. List the matter for final hearing in due course as per its own turn.

(NIVEDITA P. MEHTA, J.)