



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

CRIMINAL APPLICATION (APPA) NO.568/2025

**Gaurav Narayan Bhagat Vs. State of Maharashtra, through P.S.O.,
PO.S. Murtizapur and another**

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. A.S. Londhe, Advocate for Applicant
Mr. A.R. Chutke, APP for Respondent No.1

CORAM: NIVEDITA P. MEHTA, J.

DATED : 19th SEPTEMBER, 2025

1. The applicant has preferred this appeal assailing the order passed by the learned District and Sessions Judge, Akola in Special (POCSO) Case No. 64/2020, convicting the applicant under Sections 376(2)(I) r/w 34 of the Indian Penal Code and Section 5 r/w Section 6 of the Protection of Children from Sexual Offences Act, 2012. The present application is filed seeking condonation of delay of 22 days in preferring the appeal against the said sentence. The learned counsel for the applicant submits that the applicant is in jail, he is poor person and was not aware about the legal procedure. Moreover, it is submitted that the delay is not deliberate or intentional, but due to the situation beyond the control of the applicant. If the delay is not condoned, the applicant would suffer irreparable loss.

2. Per contra, learned Additional Public Prosecutor strongly opposed the application and submitted that no sufficient reasons are demonstrated in the

application to condone the delay. Hence the same is liable to be rejected.

3. 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 22 days is condoned in filing the appeal. The application is allowed.

4. Appeal be registered.

(NIVEDITA P. MEHTA, J.)

MP Deshpande