



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

CRIMINAL APPLICATION (APPA) NO.817/2025 IN CRIMINAL APPEAL
STAMP NO.8186/2025

Vijesh @ Birjesh s/o Parasram Gour Vs. The State of Maharashtra

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

Court's or Judge's orders.

Mr. H.P. Lalwani, Advocate for the applicant/appellant.
Ms. N.R.Tripathi, APP for the respondent.

CORAM : ANIL L.PANSARE AND
SIDDHESHWAR S. THOMBRE, JJ.

DATE : 29/09/2025.

1. Heard.
2. The applicant is seeking condonation of delay of 105 days in filing the appeal.
3. The applicant has been convicted by the judgment and order dated 12.03.2025 passed by Ad-hoc DJ-5 and Additional Sessions Judge, Nagpur in Sessions Trial No.441/2019, whereby the applicant/appellant is convicted for offence punishable under Section 302 of the Indian Penal Code and is sentenced to undergo R.I. for life and to pay fine of Rs. 3,000/- and, in default of payment of fine to undergo further S.I. for two months.
4. In the application, the applicant has stated that the certified copy of the judgment and order was furnished by the appellant/accused in the jail on 12.03.2025 itself and subsequently when demanded by the accused, it was informed that the said copy had misplaced. Therefore, he was required to apply for another certified copy. Thereafter, the brother of the accused engaged counsel and applied for certified copy of the impugned judgment and order and it was received on 17.7.2025.

In this process, some delays occurred in filing an appeal. The applicant has, thus, properly explained the delay of 105 days in filing the appeal.

5. Hence, we hereby condone the delay of 105 days in filing the appeal.

6. The application stands disposed of.

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7. Heard.

8. **Admit.**

9. Call for record and proceedings.

10. Ms. N.R.Tripathi, learned APP waives service of notice on behalf of the respondent/State.

(Siddheshwar S. Thombre, J)

(Anil L.Pansare, J.)