

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

CRIMINAL APPLICATION (APPA) NO.996/2025

IN

CRIMINAL APPEAL STAMP NO. 10518/2025

**Amol Narayan Nehare Vs. The State of Maharashtra, Through P.S.O.,
Police Station Seloo**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. A.D. Patil, Advocate for Applicant
Ms. S.N. Thakur, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 11th DECEMBER, 2025

1. The applicant has moved the present application seeking condonation of delay of 348 days in preferring an appeal against the judgment of conviction dated 30.08.2024 passed by the learned Sessions Judge, Wardha in Sessions Case No. 43/2015. Learned counsel for the applicant submits that the applicant was pursuing the legal remedies available to him and, being the sole earning member of a financially weak family, was unable to initiate the appellate proceedings within the prescribed period. It is further submitted that the delay occurred on account of the time taken to obtain legal advice and arrange necessary resources for filing the appeal. According to him, the delay is neither deliberate nor intentional, and hence deserves to be condoned.

2. Per contra, the learned Additional Public Prosecutor opposes the application and submits that the reasons put forth do not constitute “sufficient cause” so as to justify condonation of nearly 348 days’ delay in filing the appeal.

3. I have considered the rival submissions and perused the reasons stated in the application. Having regard to the explanation offered, and bearing in mind that a litigant should ordinarily not be denied an opportunity to pursue his statutory remedy on technical grounds when absence of mala fides is apparent, this Court is satisfied that the applicant has shown sufficient cause for the delay in preferring the appeal. The delay appears to be bona fide and not attributable to negligence or deliberate inaction.

4. Accordingly, the application is allowed. The delay of 348 days in filing the appeal is hereby condoned.

Registry shall register the appeal.

CRIMINAL APPEAL STAMP NO. 10518/2025

1. Heard.

2. **ADMIT.**

3. Issue notice to the respondent, returnable on 06.01.2026.

4. The learned Additional Public Prosecutor waives service of notice for respondent.

5. Call R & P.

(NIVEDITA P. MEHTA, J.)

MP Deshpande