

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

2025.PHHC.156498



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**CRM-24-2020 in/and
CRM-A-26-2020 (O&M)
Date of decision: 12.11.2025**

Satpal Singh

....Appellant

V/s

Jaswinder Singh & others

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Mahal, Advocate for the applicant/appellant.

SUMEET GOEL, J. (Oral)

CRM-24-2020

1. The present application has been filed on behalf of the applicant-appellant seeking condonation of delay of 157 days in filing the accompanying appeal. The main appeal has been filed impugning the judgment dated 29.04.2019, passed by the learned Judicial Magistrate 1st Class, Patti vide which respondents were ordered to be acquitted from the charges.

2. Learned counsel appearing for the applicant-appellant, while seeking grant of prayer for condonation of delay of 157 days, has argued that hat the applicant/appellant belongs to the labour class and earns his livelihood by doing daily wage work. Due to his poor financial condition, he was initially unable to arrange the necessary funds to file the present appeal and only after managing to arrange the required amount, the appellant approached this Court for filing the appeal. Learned counsel, accordingly, argued that due the said reason, a delay of 157 days has occurred. On these submissions, condonation

of delay of 157 days in filing the appeal has been sought. Learned counsel for the applicant-petitioner has further argued that the circumstances of the case indicate that the delay in filing the appeal is neither intentional nor deliberate & hence delay deserves to be condoned.

3. I have heard the learned counsel for the applicant-appellant and have perused the paper-book.

4. It would be apposite to refer herein to a judgment of this Court passed in **CRR(F)-1844-2023** titled as **Deepak vs. Noori and another**, decided on 29.02.2024; relevant whereof reads as under:-

“8. As a sequel to above-said discussion, the following principles of law emerge:

I.A liberal approach, undoubtedly, ought to be accorded to a plea for condonation of delay made under Section 5 of The Limitation Act, 1963 so as to further the cause of substantial justice. The concept of substantial justice essentially includes in itself the desirability of adjudication of a claim of the litigant on merits thereof rather than rejection of the same, at the threshold, on account of being barred by limitation. However, adoption of such liberal approach cannot be stretched to mean that a prayer (for condonation of delay) ought to be granted sans reasonable explanation therefor. An applicant (seeking condonation of delay) has to bring forward cogent, credible and lucid reason(s) to substantiate such a plea. In case such reason(s) is not scrutable, a Court would well be within its discretion to decline such plea (for condonation of delay). In other words, inexplicable delay ought not to be condoned.

II.A Court ought to grant an application seeking condonation of delay when no negligence, inaction or want of bona fide is imputable to such applicant and/or such delay has occurred on account of circumstances beyond reasonable control of such applicant.

III.It is not the length of delay (sought to be condoned) but explanation thereof which is relevant for consideration by a Court.

IV.Law of limitation does not require an applicant (seeking condonation of delay) to furnish an exhaustive explanation on ‘day to-day basis’ for such delay. A Court while dealing with a plea for condonation of delay need not undertake such a pedantic approach.

V.In appropriate cases, a Court may consider imposing costs while granting an application for condonation of delay. However, the quantification of

costs so imposed, must reflect the same being commensurate to the lis in issue as also attending circumstances therein.

VI. The factum; of non-applicant(s) or even strangers having altered their position(s) relying upon the applicant not having filed an appeal/revision etc. within stipulated time and resultant effects thereof; will indubitably be a pertinent factor for consideration of a plea for condonation of delay.

VII.A plea for condonation of delay by the State as also its instrumentalities has to be accorded a more liberal approach since the machinery involved in their working is impersonal in nature & hidden factors working therein cannot be given a complete amiss.

VIII.The discretion of a Court, while considering a plea for condonation of delay, will be exercised in view of peculiar facts/circumstances of an individual case. It is neither prudent nor feasible to fix any exhaustive guidelines for exercising such judicial discretion. On the contrary, it would be perilous to lay down such general criteria for governing such discretion. Needless to emphasize that exercise of such judicial discretion/power ought to be within the four corners of well settled principles of justice, good conscience and fair play.”

5. More recently the Hon’ble Supreme Court in case titled as ***Pathapati Subba Reddy (Died) by L.Rs & Ors. vs. The Special Deputy Collector (LA), Neutral Citation:2024 INSC 286***, has observed as under:

“26. On a harmonious consideration of the provisions of the law, as aforesaid, and the law laid down by this Court, it is evident that:

xxx xxx xxx xxx

vii) Merits of the case are not required to be considered in condoning the delay; and

(viii) Delay condonation application has to be decided on the parameters laid down for condoning the delay and condoning the delay for the reason that the conditions have been imposed, tantamounts to disregarding the statutory provision.”

6. Condonation of delay of 157 days in filing the accompanying appeal is sought for on the following relevant averments:

“2. That the appellant is a labour class person and earn his livelihood by earning daily wages. As he had no funds to file the present appeal before this Hon'ble Court, therefore, after arranging money appellant approached the undersigned counsel for filing the appeal. In this process a delay of 157 days has occurred.

3. of That the delay 157 days in filing the appeal is not intentional but due to reasons mentioned above..”

7. A perusal of the above-said averments clearly show that no reasonable or plausible explanation has been furnished by the applicant-appellant to condone the delay of 157 days in filing the accompanying revision appeal. This application, apart from bereft of any specific details/particulars which may reflect *bona fide* on part of the applicant-appellant in pursuing his case, rather reflects a deliberate attempt on part of the applicant-appellant to somehow entangle the respondents-accused in prolonged litigation. The applicant-appellant has failed to provide any concrete explanation or document to demonstrate his genuine efforts in pursuing the matter within the prescribed time limit. No cause much less sufficient cause, as required in law, has been shown to justify or condone the significant delay of 157 days in filing the accompanying appeal. The delay is both inordinate and inexplicable. Merely attributing the delay to unforeseen circumstances, without any supporting details or evidence to substantiate these claims, does not meet the legal threshold for condonation. The applicant-appellant has neither shown continuous interest in the case nor presented any exceptional or unavoidable circumstances that could explain such an extensive delay.

7.1 The explanation for the delay contained in the application seeking condonation of delay is wholly unsatisfactory and can hardly be said to be a reasonable, satisfactory or even a proper explanation for seeking condonation of delay. In the facts and circumstances of the case as narrated hereinabove, the application seeking condonation of delay of 157 days in filing the accompanying appeal merits dismissal.

Decision

8. The application (CRM-24-2020) seeking condonation of delay of

157 days in filing the accompanying appeal is dismissed. Since the

application seeking condonation of delay has been dismissed, the main appeal stands dismissed as well accordingly.

9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

November 12, 2025
Naveen

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No