



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**908 CRIMINAL APPLICATION NO. 874 OF 2025
IN APEALST/2311/2025**

MAHADU KRUSHANA DHERANGE

....Applicant

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....Respondents

Mr. B. S. Dhanwate, Advocate for the applicant

Ms. M. N. Ghanekar, APP for the respondents/State

Ms. Sujata Kanawade, Advocate h/f Adv. A. B. Nehe, Advocate for the
respondent No. 2

CORAM : RAJNISH R. VYAS, J.

DATE : 16th JANUARY, 2026

PER COURT :

1. Convict has approached this court by preferring an appeal against conviction, in which delay of 1071 is caused in filing the criminal appeal.

2. Learned Advocate for the applicant/convict submits that the applicant was convicted for commission of offence punishable under Sections 376(2)(i) of the Indian Penal Code (for short 'the IPC') and directed to suffer rigorous imprisonment for ten years and to pay fine of Rs.2000/-. In default he was directed to suffer simple imprisonment for three months. Further he was convicted for commission of offences punishable under Sections 4 of the Protection

of Children From Sexual Offences Act, 2012 (for short 'the Act of 2012') and directed to suffer rigorous imprisonment for seven years and to pay fine of Rs.2000/-. In default he was directed to suffer simple imprisonment for three months. Further he was also convicted for commission of offences punishable under Sections 6 of the Act of 2012 and directed to suffer rigorous imprisonment for ten years and to pay fine of Rs.2000/-. In default he was directed to suffer simple imprisonment for three months.

3. According to him, since the date of registration of FIR, applicant is behind the bar and he has almost completed more than seven years of the punishment.

4. Learned Advocate for the applicant submits that due to registration of the offence his family has not extended any assistance and there was nobody to follow up the criminal prosecution, which was initiated against him. He submits that the applicant is 69 years old and he has neither received any assistance from his family nor his friends in initiating the appeal. Hence, there is delay caused in filing the appeal.

5. Per contra, learned APP and counsel appointed for the victim submit that the appeal is barred by the limitation and no satisfactory explanation has been given.

6. I have given my thoughtful consideration to the argument advanced. Perusal of the record would reveal that the applicant is behind the bar since the date of incident. Almost period of more than seven years has been lapsed and the appellant is still behind the bar as he did not prefer the appeal. It is undisputed that as on date the appellant/applicant is 69 years old. In that view of matter, I found substance in the contention advanced by the learned counsel for the applicant that reasonable explanation is offered for condoning the delay. Hence, the application is allowed. The delay is condoned.

7. Appeal be registered.

[RAJNISH R. VYAS, J.]

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