



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 4225 OF 2025
IN APEALST/11808/2025
WITH
CRIMINAL APEAL STAMP NO. 11808 OF 2025**

**NITIN NAGNATH MUPIDWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. A.D. Khot
APP for Respondent No. 1 : Ms. A.S. Deshmukh

...
**CORAM : RAJNISH R. VYAS, J.
DATE : 22ND JANUARY, 2026**

PER COURT :

1. This is an application for condonation of delay in filing an appeal against the conviction, preferred by the appellant/original accused.
2. The delay of 129 days has occurred in filing the appeal.
3. According to the learned counsel for the appellant, the accused was convicted for commission of offence under Section 376 of the Indian Penal Code, so also Sections 4, 6, 8, 12 of the Protection of Children from Sexual Offences Act, 2012, and maximum punishment imposed is of twenty years. He submitted that accused is behind the bar from 01.05.2022. He submitted that since the period of the imprisonment is of twenty years and appellant is behind the bar, the appeal could not be preferred in the prescribed period. He submitted that delay caused was not intentional.

4. Per contra, learned APP opposed the application.
5. Considering the fact that the sentence imposed upon the appellant is of twenty years and delay caused is of 129 days and since the appellant is behind the bar, I am inclined to allow the present application. Accordingly, present application is allowed.
6. Appeal be registered.
7. Learned counsel for the appellant states that he will supply copy of paper book to the learned APP as well as learned appointed counsel for respondent no. 2, during the course of day.
8. In view of this, stand over to 02.02.2026, for final hearing.

(RAJNISH R. VYAS, J.)

SPC