



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 643 OF 2026
IN
CRIMINAL APPEAL (ST) NO. 1677 OF 2026

Gopal Manikrao Biradar

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. M.G. Kedar, Advocate for applicant

Mr. V.K. Kotecha, A.P.P. for respondent - State

....

CORAM : RAJNISH R. VYAS, J.

DATE : 09th MARCH, 2026

PER COURT :

. Challenging the conviction punishable under Sections 353, 332 and 379 of the Indian Penal Code awarded by the Additional Sessions Judge, Udgir in Sessions Case No. 6 of 2020 vide judgment and order dated 25th February, 2025, the accused has triggered the appeal, in which delay of 1387 days is caused.

2. Learned counsel for the applicant submits that it is due to the extreme financial constraints, the applicant could not prefer appeal within time and consequently delay is caused. He submits that since December 2025 the applicant is in jail.

3. Learned A.P.P. submitted that the order was passed in February 2025, whereas the appeal is preferred in the year 2026, which clearly shows the attitude on the part of the accused. He submitted that since the applicant was sleeping over his right, he is not entitled for condonation of delay.

4. Since the maximum sentence awarded is for two years and considering the reasons mentioned in the application, I am inclined to allow the application. Hence, I pass the following order :-

ORDER

- (I) Criminal application is allowed.
- (II) Delay of 1387 days caused in preferring the appeal is condoned.
- (III) Appeal be registered accordingly.

(RAJNISH R. VYAS, J.)

SSD