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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT ANANDRAO IDHOL
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INTERIM APPLICATION NO.3002 OF 2025
IN
CRIMINAL APPLICATION (ST.)NO.15162 OF 2025

The State of Maharashtra ...Applicant
V/s.
Ashishkumar V. Sahu ...Respondent

Ms.Mahalakshmi Ganapathy, Addl.PP for the State - Applicant.

CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.
DATE : 17TH JANUARY, 2026.

P.C. :-

1. The present Application is filed for condonation of delay of 99 days caused in preferring leave to file an appeal against the impugned judgment and order dated 2nd December, 2024 passed by the learned Sessions Judge, Mumbai in Sessions Case No.1102 of 2019 arising out of C.R. No.71 of 2019 for offence punishable under Section 302 of Indian Penal Code (IPC).

2. This Court had issued notice to the Respondent vide order dated 18th August, 2025. In pursuance to the said notice, the Respondent is duly served. Today none appears for the Respondent when the matter was called out.

3. Learned Addl.PP states that the impugned judgment and the order was passed on 2nd December, 2024. The application for certified copy was preferred on 3rd December, 2024 and the same was ready on 4th January, 2025. The last date for filing the application was 3rd April, 2025. She further states that after the scrutiny of the papers by the concerned Assistant Public Prosecutor, the papers were submitted to the Law & Judiciary Department to prefer an application for leave to file an appeal. On 21st January, 2025, the papers were received by the office of Law & Judiciary Department, after scrutinizing the papers, the same were forwarded by the Law & Judiciary Department to the office the Public Prosecutor, High Court on 13th May, 2025. She submits that the delay which is caused is thus not intentional, nor deliberate but for the reasons mentioned above.

4. Having heard the learned Addl.PP appearing for the Applicant, we are convinced that the delay which is caused is not intentional or deliberate but for the reasons mentioned above. Hence, we condone the delay, which is caused in preferring the present application. The Application is allowed in terms of prayer clause (6-b), which reads as under :-

> "6 (b). The delay of 99 days in filing aforesaid Criminal Application for leave to appeal against the judgment and order of acquittal dated 2nd December, 2024 passed by the learned Sessions Judge, City Civil Court, Mumbai in Sessions Case No.1102 of 2019 may be condoned and Criminal Application for leave to appeal be heard on its own merits."

(SANDESH D. PATIL, J.) *(SARANG V. KOTWAL, J.)*