

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3899 OF 2024
(For condonation of delay)
IN
CRIMINAL APPLICATION (ST) NO.19727 OF 2024
(For Leave to file an Appeal)**

The State of Maharashtra Applicant

versus

Rohan Babu Waghmaitar & Ors. Respondents

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- Mr. Ajay S. Patil, Advocate for Applicant.
- Ms. Prabha Badadare i/b. Mr. Rushikesh G. Patil, Advocate for Respondent No.1.
- None for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.
DATE : 29th APRIL, 2026**

P.C. :

1. The present Interim Application is filed for condonation of delay of 179 days caused in filing Criminal Application for leave to file an Appeal against the Judgment and Order of acquittal dated 30/11/2023 passed by the Additional Session Judge, Pune, in Special (POCSO) Case No.267 of 2022.

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2. We had issued notices to the Respondents. Both the Respondents are served. Learned APP states that the impugned Judgment and Order was passed on 30/11/2023. The application for certified copy was made on 05/12/2023. Same was delivered on 16/12/2023. Thereafter, the papers were sent for scrutiny to the Law and Judiciary Department, Mantralaya, Mumbai, on 28/12/2023. The Law and Judiciary Department after scrutinizing the proposal had sent the proposal to the office of the Public Prosecutor, High Court, Appellate Side on 12/08/2024. The application is filed ultimately on 05/09/2024. Learned APP states that the delay which is caused in filing the application for Leave to file an Appeal is not intentional or deliberate but for the reasons mentioned above.

3. We have considered the submissions of both learned counsel. We are satisfied that this is a fit case for condonation of delay. The delay is not intentional or deliberate but for the reasons mentioned above. Further taking into consideration the seriousness of the offence, we are satisfied that the ground is made out for condonation of delay.

4. Hence, the following order :

ORDER

- (i) The delay of 179 days in filing the Criminal Application for leave to file an Appeal is condoned.
- (ii) Interim Application No.3899 of 2024 is disposed of.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)