

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

**INTERIM APPLICATION NO.4913 OF 2024
IN
APPLICATION FOR LEAVE TO APPEAL (STATE) (ST.) NO.23050 OF 2024**

The State of Maharashtra
(Through Senior Police Inspector,
DCB-CID, Unit-VI Chembur Mumbai)

... Applicant

V/s.

1. Mohammed Siraj Mohammed Iqbal
Shaikh And Anr.

... Respondents

Ms. Kranti Hiwrale, A.P.P. for the Applicant-State.

None for the Respondents.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 2nd FEBRUARY 2026

P.C.

1) This is an Application for condonation of delay of 270 days in filing the Appeal against the Judgment and Order of acquittal dated 26th September 2023, passed by the Additional Sessions Judge, Sessions Court at Greater Bombay, in POCSO Special Case No.74 of 2020.

2) Learned A.P.P. submitted that they have explained the delay in

para-2 of the Application. An Application was made for certified copy on 24th November 2023, which was delivered on 16th December 2023. The last date for filing the Application was on 7th January 2024. The concerned Public Prosecutor of the Trial Court submitted the papers to the Law and Judiciary Department through his letter dated 28th December 2023. Thereafter, a decision was taken by the Law & Judiciary Department on 9th August 2024. It was received by the Public Prosecutor on 14th August 2024. The Appeal was filed on 1st October 2024.

3) Although we are not fully satisfied with the explanation offered, however, we have perused the impugned Judgment and Order and also the evidence annexed to the Application for leave to file Appeal. The offence appears to be grave and serious. The State should have shown some more urgency.

4) In any case, in the interest of justice, the delay of 270 days in filing the Application for leave to file Appeal against acquittal, is condoned. The Appeal and Application be processed further.

5) The Interim Application is disposed of accordingly.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)

RvC

3/3

RAJESH
VASANT
CHITTEWAN

Digitally signed by
RAJESH VASANT
CHITTEWAN
Date: 2026.02.05
11:43:54 +0530