

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

**INTERIM APPLICATION NO. 891 OF 2025
IN
CRIMINAL APPLICATION (ST) NO. 4904 OF 2025
(Leave to file Appeal)**

The State of Maharashtra ..Applicant
Versus
Mohd. Umar Jainulabidin Shaikh ..Respondent

Ms. Mahalakshmi Ganapathy, Addl.PP for State/Applicant.
Mr. Yogendra Koli for Respondent.

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

DATE : 21 APRIL 2026

PC :

1. By the present interim application, the Applicant is seeking condonation of the delay of 242 days caused in filing the application for leave to file Appeal.

2. The Respondent is served and he is represented by the learned counsel.

3. Learned APP submitted that the impugned Judgment and order was passed by the learned Additional Sessions Judge,

Borivali Division, Dindoshi, in Sessions Case No.231 of 2017 on 14.03.2024. Thereafter the application for the certified copy was made on 18.03.2024. The same was ready and delivered on 20.03.2024. The last date for filing the application for Appeal as per the Law of Limitation was on 20.06.2024. After the scrutiny of the papers by the concerned APP, the papers were forwarded to the Law and Judiciary Department. The Law and Judiciary Department had approved the proposal and the matter was sent to the office of the Public Prosecutor, Greater Mumbai on 16.05.2024. After the scrutiny, the application is filed on 17.02.2025. Learned APP states that the delay which is caused in filing the present application is not intentional and deliberate, but for the reasons mentioned above.

4. Learned counsel for the Respondent vehemently objected the application for condonation of the delay.

5. After having heard both the learned counsel, we are of the view that the delay which was caused in filing the present interim application is not intentional and deliberate, but for the

reasons mentioned in paragraph Nos.3 and 4 of the application. We are satisfied that the delay is not intentional or deliberate, but for the reasons mentioned above.

6. Hence, the following order:

O R D E R

- i) The delay of 242 days in filing the present interim application is condoned.
- ii) The interim application is disposed of.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)