

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

**INTERIM APPLICATION NO.2811 OF 2025
IN
APPLICATION FOR LEAVE TO APPEAL (STATE) (ST.) NO.15170 OF 2025**

The State of Maharashtra
(Through Nigdi Police Station, Dist. Pune) ... Applicant

V/s.
Ashok Sonmal Rathod & Ors. ... Respondents

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

Mr. Vignesh Ashokan i/b Mr. Sachin H. Deokar for Respondent No.3.

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

DATE : 27th JANUARY 2026

P.C.

1) By the present Interim Application, the Applicant is praying for condonation of delay of 61 days, caused for filing the Application for leave to Appeal against the Judgment and Order of acquittal dated 27th January 2025, passed by the learned Addl. Sessions Judge, Pune, in Sessions Case No.457 of 2017.

2) This Court had issued notices to the Respondents, returnable on 2nd September 2025. Pursuant to this, the Respondents are served.

Learned Counsel for the Applicant states that she has filed the Affidavit of Service to that effect. The affidavit of service is taken on record.

3) Since the Respondents are served, the Application is taken up for hearing.

4) The learned Addl. P.P. submitted that the impugned judgment and order was passed on 27th January 2025 and immediately, on the next date, an application for certified copy was preferred on 28th January 2025. She states that the learned Additional Public Prosecutor, Pune, *vide* his letter dated 28th February 2025, submitted papers to the Law & Judiciary Department. The papers were received from Law & Judiciary Department on 13th March 2025. Immediately, thereafter, the present Application is preferred on 10th July 2025. She states that the delay is not intentional or deliberate, but for the reasons mentioned above.

5) Learned Counsel for Respondent No.3 does not seriously object the application for condonation of delay.

6) Having heard the parties, we are satisfied that the delay in preferring the Application is not intentional or deliberate, but for the reasons mentioned in paragraphs-2 and 3 of the Application.

7) Hence in view of this, delay is condoned. The Interim Application is allowed and disposed of accordingly.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)