



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4843 OF 2025
IN
CRIMINAL APPEAL (ST) NO.26507 OF 2025**

Sandeep Hemchand Chavriya	...	Applicant
versus		
State of Maharashtra and Anr.	...	Respondents

Mr. Sushan N. Mhatre, for Applicant.
Mrs. Rashmi Tendulkar, APP for Respondent No.1.

CORAM: N.J.JAMADAR, J.

DATE : 11 JUNE 2026

P.C.

1. Heard the learned Counsel for the parties.
2. None present for Respondent No.2, though office report indicates that Respondent No.2 has been duly served.
3. This is an application for condonation of 178 days delay in preferring an appeal against the judgment and order dated 28 April 2025 passed by the learned Special Judge, Borivali Division, Mumbai in Special Case No.268 of 2022, whereby the applicant has been convicted for the offences punishable under Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 376(3), 376(2)(n), 376(2)(f), 504 and 506(ii) of the Indian Penal Code, 1860. For the major offence punishable under Section 4 of the POCSO Act, 2012, the applicant has been sentenced to suffer rigorous

imprisonment for a term of 20 years and to pay a fine of Rs.10,000/- with default stipulation.

4. In the application, it is averred that since the applicant has been in custody since 14 February 2020, the applicant could not prefer the appeal within the stipulated period. Eventually, the Counsel appointed by the High Court Legal Services Committee has collected the documents and preferred an appeal. Thus, there was a delay.

5. Evidently, the applicant has been in custody since 14 February 2020. The appeal has been filed by the Counsel who is appointed by the High Court Legal Services Committee. The Applicant has been sentenced to suffer rigorous imprisonment for a term of 20 years. Thus, the reasons ascribed in the application for condonation of delay appear justifiable. Therefore, to advance the cause of substantive justice and promote the determination of the appeal on merits, the application deserves to be allowed.

6. Hence, the Interim Application stands allowed.

7. Delay in preferring Criminal appeal stands condoned.

8. Appeal be registered.

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9. Admit.

10. Issue notice to the Respondents, returnable on 6 August 2026.

11. Learned APP waives service on behalf of Respondent No.1.

12. Respondent No.2 be served through the Police Inspector, Malad Colony Police Station and the report of service be filed by the PI, Malad Colony Police Station. The appellant shall furnish copy of the appeal memo and its accompaniments to the PI Malad Colony Police Station, for serving the same on Respondent No.2.

13. Call R and P.

(N.J.JAMADAR, J.)