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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 861 OF 2026
IN
CRIMINAL APPLICATION FOR LEAVE TO APPEAL (PVT) NO.55 OF 2025

Suresh Parshuram Naik ... Applicant
Vs.
Sagar Sadanand Mhatre & Anr. ... Respondents

Mr. Nikhil Sakharam Gole for Applicant.
Ms. Sharmila S. Kaushik, APP for Respondent / State.

CORAM : M.M. SATHAYE, J.

DATE : 4th MAY, 2026

P.C. :

1. Heard learned counsel for the Applicant. This application is filed seeking extension of time to file appeal in terms of liberty granted under order dated 25.11.2025 by this Court.

2. Perused the order dated 25.11.2025, which permitted the Applicant to withdraw the application with liberty to file appeal as per proviso to Section 372 of Criminal Procedure Code, 1973/Section 413 of Bharatiya Nagarik Suraksha Sanhita, 2023 before the Sessions Court. Eight weeks' time was granted under said order. The period of 8 weeks got over on 20.01.2026.

3. The Applicant has stated on oath that on 24.01.2026, verification was completed for filing criminal appeal, however it was belated by 4 days. The Applicant has pleaded that he is 66 years of old senior citizen suffering from kidney stone. Medical papers are

annexed in support of the said contention.

4. Learned counsel for the Applicant submitted on instructions that when the Applicant tried to file the appeal belated by 4 days, the same was not accepted by the Sessions Court because time granted by this Court was over.

5. Considering aforesaid averments and leave already granted by the Court, interest of justice requires grant of extension.

6. Accordingly, the application is allowed. Further 3 weeks time is granted to the Applicant to file appeal in terms of order dated 25.11.2025. This order shall be read in continuation of order dated 25.11.2025.

7. **The application is disposed of in above terms.** All concerned to act on duly authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)