



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

CRIMINAL APPLICATION APPA NO.319/2025

IN

CRIMINAL APPEAL ST.NO.2798/2025

Abdul Latif Abdulla @ Sanjay Bapurao Nikhure

..VS..

State of Mah., thr.PSO Wadner, Tahsil Hinganghat, District Wardha

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

Shri A.M.Chandekar, Counsel for the Applicant.

Shri S.A.Ashirgade, Addl.PP for the State.

CORAM : URMILA JOSHI-PHALKE & NIVEDITA PMEHTA, JJ.

DATE : 16/04/2026

1. Leave is granted to learned counsel for the applicant to add the victim as party respondent No.2.

2. Heard.

3. By this application, the applicant is seeking condonation of delay caused in preferring appeal against conviction. Delay is of 39 days.

4. The applicant is convicted for offence under Section 5(i) and 5(m) of The Protection of Children from Sexual Offences (POCSO) Act, 2012 and sentenced to undergo for life and pay fine Rs.25000/-, in default, to undergo rigorous imprisonment for 3 months.

He is further convicted for offence under Section 376(2)(i) of the IPC.

5. The applicant received copy of the judgment impugned on 16.10.2023, but he was not having legal knowledge and, therefore, when his brother visited him in jail, he handed over

copy of the judgment and chargesheet. Thereafter, he approached an Advocate and, thereafter, filed the appeal.

6. Learned counsel for the applicant submitted that considering valuable right of the applicant to prefer an appeal is involved, due to lack of knowledge the delay is caused, which is sufficient and satisfactory reason and, therefore, the application deserves to be allowed.

7. Learned APP for the State has strongly opposed the said contentions and submitted that there is no sufficient and satisfactory reason.

8. Considering reasons mentioned in the application and considering fact that valuable right of the applicant to challenge the conviction is involved, the application deserves to be allowed.

9. In view of that, the application is **allowed**. The delay of 39 days is condoned. Office to register the appeal.

10. Application stands **disposed of**.

11. List the appeal after vacations.

JUDGE

JUDGE

!! BrWankhede !!