



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 65 OF 2026
IN
CRIMINAL APPEAL STAMP NO. 620 OF 2026

Roshan Sadashio Kargaonkar

Versus

The State of Maharashtra through Police Station Officer, PS Umrer, Dist. Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri PD.Sharma, Advocate for the appellant.

Ms. N.R.Tripathi, APP for the respondent/State.

**CORAM : ANIL L. PANSARE &
NIVEDITA P. MEHTA, JJ.**

DATED : 3rd FEBRUARY, 2026.

The appellant has preferred the present appeal challenging the judgment and order dated 06.11.2025 passed by the learned Extra Joint District Judge and Additional Sessions Judge (Special Judge, POCSO Court), Nagpur in Special Criminal (Child) Case No. 482 of 2022, whereby the appellant has been convicted for the offence punishable under Section 376-DB of the Indian Penal Code and sentenced to suffer rigorous imprisonment for life, along with a fine of ₹25,000/-, in default, to undergo rigorous imprisonment for one year. The appellant has also been convicted for the offence punishable under Section 506 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for one year, along with a fine of ₹2,000/-, in default, to undergo imprisonment for two months.

2. The present application has been filed seeking condonation of delay of 12 days in preferring the appeal against the aforesaid conviction and sentence.

3. Learned counsel for the applicant submits that due to financial constraints and lack of awareness regarding the legal remedies available, the appeal could not be filed within the prescribed period of limitation. It is further submitted that the delay is neither deliberate nor intentional and that no prejudice would be caused to the prosecution if the delay is condoned.

4. Per contra, learned Additional Public Prosecutor opposes the application and submits that the applicant has failed to demonstrate sufficient cause for the delay and, therefore, the application deserves to be rejected.

5. Upon considering the rival submissions and on perusal of the material placed on record, we are of the view that the applicant has shown sufficient cause for not preferring the appeal within the prescribed period of limitation. The right of appeal is a statutory right, and rejection of the appeal on the ground of limitation would result in denial of an opportunity to challenge the conviction on merits.

6. In the facts and circumstances of the case, we are satisfied that sufficient cause has been made out. Accordingly, the delay of 12 days in preferring the appeal deserves to be condoned.

7. The criminal application is, therefore, allowed and disposed of.

Criminal Appeal Stamp No. 620 of 2026

Heard.

2. **ADMIT.**

3. Ms. N.R.Tripathi, learned Additional Public Prosecutor waives service of notice on behalf of the respondent/State.
4. Call for record and proceedings.
5. Learned counsel for the appellant submits that present appeal is to be tagged with Criminal Appeal No. 589 of 2025.
6. List the present appeal along with Criminal Appeal No. 589 of 2025 as per its turn.

[JUDGE]

[JUDGE]