



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

CRIMINAL APPLICATION (APPA) NO.128/2026

IN

CRIMINAL APPA ST. NO. 1579/2026

**Tukaram S/o Kisan Kurwade Vs. State of Maharashtra, Through the Police
Station Officer, Police Station, Mangrulpir**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. F.N. Haidari, Advocate for Applicant
Mrs. N.R. Tripathi, APP for Respondent / State

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

DATED : 16th FEBRUARY, 2026

1. The applicant/appellant has assailed the judgment and order dated 29.04.2024 passed by the learned Additional Sessions Judge, Mangrulpir, District Washim in Sessions Trial Case No. 26 of 2018, whereby the applicant has been convicted for the offence punishable under Section 302 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for life.

2. Learned counsel for the applicant submits that the applicant was unaware of the legal remedies available to him and that there was no family member to pursue the matter with the counsel within the prescribed period of limitation. It is further submitted that after obtaining legal assistance, the present appeal has been preferred, resulting in a delay of 592 days. According to the learned counsel, the delay is neither intentional nor deliberate, but has occurred due to the aforesaid circumstances. She, therefore, prays for condonation of delay of 592 days in filing the appeal.

3. Per contra, the learned Additional Public Prosecutor opposed the application, contending that the applicant has failed to demonstrate sufficient cause for condonation of delay.

4. Upon consideration of the submissions advanced by the learned counsel appearing for the parties and on perusal of the material placed on record, we are satisfied that the applicant has shown sufficient cause for not preferring the appeal within the prescribed period of limitation. The applicant seeks to avail a statutory right of appeal, and refusal to condone the delay in the present case would defeat such valuable right and cause serious prejudice to the applicant.

5. Accordingly, the delay of 592 days in filing the appeal is condoned. The application stands allowed. The appeal be registered.

After the appeal is registered.

Heard.

ADMIT.

Issue notice to the respondent.

The learned APP waives service of notice for respondent / State.

Call for R & P.

Appeal be listed as per its own turn.

(NIVEDITA P. MEHTA, J.)

(ANIL L. PANSARE, J.)