



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

CRIMINAL APPLICATION (APPA) NO. 294 OF 2026

IN

CRIMINAL APPEAL (ST) NO. 4087 OF 2026

(Lokesh Hiralal Khotele

Vs.

State of Maharashtra, Thr. P.S.O. Police Station, Duggipar,
Dist. Gondia)

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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Mr. P. Vairagade, Advocate h/f Mr. A.M. Chandekar, Advocate for the Appellant.
Mr. Nikhil Joshi, APP for the Respondent/State.

**CORAM: URMILA JOSHI-PHALKE AND
NIVEDITA P. MEHTA, JJ.**

DATED : 18th APRIL, 2026

1. By this Application, the Applicant/Appellant is seeking condonation of delay of 832 days which is caused in filing the Appeal against conviction.

2. As per the contention of the present Appellant that he was prosecuted for the offence punishable under Section 376(AB) of IPC and under Section 5(m) read with Section 6 of the Protection of Children from Sexual Offences Act (for short "POCSO") and he is convicted for the offence punishable under Section 6 of the POCSO Act and sentenced him to suffer rigorous imprisonment for life which shall mean imprisonment for the remainder of natural life and to pay fine. The judgment was delivered on 25.10.2023, he was in jail, and therefore, he could not communicate with his family members. His mother is illiterate and she is not aware about

the legal position of law, and therefore, the Appeal could not be filed within time.

3. Learned APP strongly opposed the said contention and submitted that the delay is not properly explained.

4. After hearing both the sides and after going through the Application and the reasons mentioned therein, which appears to be reasonable and justifiable one, the denial would deprive the present Appellant to prefer an Appeal, which is his statutory right. In view of that, the Application is **allowed**. The delay of 832 days is condoned.

5. The Appeal be registered.

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1. Heard.

2. **ADMIT.**

3. Mr. Joshi, learned APP, waives notice for the Respondent/State.

4. Call R & P.

5. List the Appeal for final disposal after preparation of the Paper Book.

(NIVEDITA P. MEHTA, J.)

(URMILA JOSHI-PHALKE, J.)