



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

CRIMINAL APPLICATION APPA NO.324/2026

AND

CRIMINAL APPEAL ST.NO.4648/2026

Dipak s/o Bhagwanji Durge

..VS..

State of Mah., thr.PSO PS Kharangana, Tahsil District Wardha and anr

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

Court's or Judge's Order

Mrs.N.PDhoke, Counsel for the Applicant.

Mrs.Nandita Tripathi, Addl.P.P for the State.

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

DATE : 28/04/2026

1. Heard.
2. By this application, the applicant is seeking condonation of delay of 383 days caused in preferring the appeal.
3. Ground raised in the application is that, the applicant is having wife and children and his financial condition is poor and, therefore, he could not approach counsel and, therefore, the delay is caused.
4. Though the reasons mentioned in the application are sufficient and reasonable, considering the statutory right of the appellant is involved, the application deserves to be allowed by taking a lenient view.
5. The application is **allowed**. The delay is condoned.
6. Office to register the appeal.
7. Learned APP waives service for respondent No.1/State.
8. Issue notice to respondent No.2.

9. The police station officer shall ensure service of notice on respondent No.2.

10. Stand over after vacations.

JUDGE

JUDGE

!! BrWankhede !!