


IN THE COURT OF ADDITIONAL SESSIONS JUDGE, BULDHANA
(Presided over by **Shaikh Akbar Shaikh Jafar**)

MHBU010001062026	Criminal Misc.A No.05/2026
	Nitin Tryambak Sonune ..Versus.. Sau.Rukhmini Nitin Sonune

ORDER BELOW EXH.1

(Passed on this 10th day of March 2026)

1] This application is filed for condonation of delay in filing Criminal Appeal against the order passed by the learned Judicial Magistrate, First Class, Court No.2, Deulgaon Raja in Criminal Misc. Application No.14/2021 dated 5.7.2025 below Exh.2. It is the contention of the applicant that the Appeal was required to be filed on or before 5.8.2025. However, he came to know about the said order on 14.10.2025. He immediately applied for certified copy of order and received it on 14.10.2025. He was not having the knowledge of law and inadvertently he filed Criminal Revision against said order before District Court on 17.12.2025 and on instruction, he has not pressed said Revision on 18.12.2025. As such, he could not be filed Appeal within time and delay of 4 Months 3 Days has been caused in filing Criminal Appeal and prayed for condonation of delay.

2] Respondents appeared in response to the notice and submitted their reply overleaf contending that application is strongly opposed. It is submitted that delay is intentional and it is

not properly explained and prayed for rejection of application.

4] Heard rival parties at length. There is delay of 4 months 3 days. days. The applicant has submitted that he was not having the knowledge of law and inadvertently he filed Criminal Revision against said order before this Court on 17.12.2025 and on instruction, he has not pressed said Revision on 18.12.2025. As such, he could not be filed Appeal within time. Considering the above situation, I am of the view that reason assigned is justifiable.

5] It is well settled that challenging of the order of learned Trial Court is fundamental and constitutional right. One should not be deprived from filing revision/appeal against the order of learned Trial Court. Likewise, applicant is also entitled to get delay condoned and to file Criminal Appeal against the order passed by learned Trial Court. Considering rival submission of applicant, it is a fit case to grant to condone delay. Hence, I proceed to pass the following order;

ORDER

- 1] Application is allowed.
- 2] Delay of 4 Months 3 Days caused in filing the Appeal is hereby condoned.
- 3] Criminal Appeal be registered as per rules.

Buldhana
Date:10.3.2026

(Shaikh Akbar Shaikh Jafar)
Additional Sessions Judge,
Buldhana