

MHST010008572026



Received on : 22.04.2026
Registered on : 24.04.2026
Decided on : 03.07.2026
Duration : Y. Ms. Ds.
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IN THE COURT OF SESSIONS JUDGE, SATARA. AT : SATARA
(Presided over by S.R. Tamboli, Addl. Sessions Judge, Satara)

CRIMINAL MISC. APPLICATION (DELAY) NO.40 OF 2026
Exh.23

Vaibhav Dashrath Umbarkar,

Age : 33 yrs. Occupation : Business,
Residing At- At Post- Yawateshwar,
Taluka and District Satara.

}...**APPLICANT**

Versus

1) Akshay Ravindra Shelar,

Age : 28 yrs. Occupation : Business,
Residing At- At Post- Andheri,
Taluka Jaoli, District- Satara.

2) The State of Maharashtra,

Through Public Prosecutor, Satara

}...**RESPONDENTS**

APPEARANCE :

Mr. S.V. Tangade, Advocate for the applicant.

Mr. D. B. Pharande, Advocate for the respondent No.1

None for the respondent No.2

JUDGMENT

(Delivered on 03rd July, 2026)

1. In the present application, the applicant has prayed for

condonation of the delay in filing an appeal against the judgment and order dated 09/10/2025 passed in S.C.C. No. 1863/2019 by the learned 7th Judicial Magistrate First Class, Satara.

2. In brief, the case of the applicant is that, after the pronouncement of the judgment, he was facing severe financial difficulties and health issues, which prevented him from contacting his advocate and filing the appeal within the prescribed period of limitation. Consequently, there has been a delay of six months and eleven days in filing the appeal. The applicant has, therefore, prayed that the said delay be condoned.

3. Respondent No. 1 contested the application, inter alia, contending that the averments made therein are false. According to Respondent No. 1, the applicant was fully aware of the date of the judgment but deliberately remained absent during the trial, as a result of which a warrant came to be issued against him. It is further contended that the applicant has suppressed material facts from the Court and has not approached the Court with clean hands. Hence, Respondent No. 1 prayed for dismissal of the application.

4. I have heard Mr. S. V. Tangade, the learned counsel for the applicant; Mr. D. B. Pharande, the learned counsel for Respondent No. 1. In view of the rival contentions, the following points arise for my determination. My findings and reasons thereon are as follows:

Sr.No.	POINTS	FINDINGS
1.	Whether applicant has made out sufficient cause for condonation of delay ?	In the affirmative.
2.	Whether applicant is entitled to institute the appeal against the impugned order?	In the affirmative.
3.	What order ?	As per final order.

: REASONS :

Point Nos. 1 and 2 :-

5. Learned counsel for the applicant submitted that, at the relevant time, the applicant was facing severe financial difficulties and health issues, due to which he could not contact his advocate and file the appeal within the prescribed period of limitation. Consequently, there was a delay in filing the appeal. He, therefore, prayed that the delay be condoned.

6. Learned counsel for Respondent No. 1 did not oppose the application. He submitted that the parties have amicably settled the dispute and, therefore, the appeal deserves to be entertained so that the compromise between the parties can be placed on record and appropriate orders may be passed.

7. In view of the submissions made by the learned counsel for Respondent No. 1 and considering the explanation offered by the applicant, I am satisfied that the applicant has shown sufficient cause for condonation of the delay. The applicant is, therefore, entitled to

institute the appeal against the impugned judgment and order. Accordingly, I answer Point Nos. 1 and 2 in the affirmative. Hence, I proceed to pass the following order:

ORDER

1. The application is allowed.
2. The delay in filing the appeal against the judgment and order dated 09/10/2025 passed in S.C.C. No. 1863/2019 by the learned 7th Judicial Magistrate First Class, Satara, is hereby condoned. The applicant is permitted to institute the appeal.
3. Both parties shall bear their own costs.

Place : Satara
Date : 03.07.2026.

(S.R. Tamboli)
2nd Addl. Sessions Judge, Satara.