



2026:CGHC:39417-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2235 of 2026

Messo Kawdo S/o Shri Gillu Kawdo Aged About 52 Years R/o Village Reka Bhattthal, P.S. And Tahsil Etapalli, Distt- Garhchirouli (Maharashtra)

... Appellant(s)

versus

The State Of Chhattisgarh Through Station House Officer, Police Station Bande, Distt- North Baster Kanker (C.G.)

... Respondent(s)

 For Petitioner : Mr. Sunil Sahu, Advocate
 For Respondents/State : Mrs. Anusha Naik, Deputy Government Advocate

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice

Hon'ble Shri Sanjay Kumar Jaiswal, Judge

Order on Board

Per Krushna Ram Mohapatra, Chief Justice

09.09.2026

1. Heard Mr. Sunil Sahu, learned counsel for the appellant and Mrs. Anusha Naik, learned Deputy Government Advocate, appearing for the respondent/State.



2. Appellant in this appeal seeks to challenge the order dated 08.01.2026 passed by the learned Special Judge (N.I.A. Act)-cum-First Additional Sessions Judge, Bhanupratappur, District-North Bastar Kanker (C.G.) in Special Session Case No. 66/2025 in connection with Crime No.27/2019 for commission of alleged offence punishable under Section 148, 435/149, 506-B of the IPC, Section 25, 27 of the Arms Act and Section 10, 13(1), 38(2), 39(2) of the Unlawful Activities (Prevention) Act, 1967 and Section 8(1) / 8(2) of the Chhattisgarh Vishesh Jansuraksha Adhiniyam, 2005.

I.A. No. 01/2026 i.e., application for condonation of delay in filing the appeal

3. There is a delay of 191 days in filing the appeal.
4. Section 21(5) of the National Investigation Agency Act, 2008 (in brevity "*NIA Act*") reads as under:-

"21. Appeals.-

(5) Every appeal under this section shall be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days:



Provided further that no appeal shall be entertained after the expiry of period of ninety days.”

5. Since the appeal has been filed beyond 90 days, learned counsel for the appellant does not want to press the appeal as well as interim applications. He therefore prays for withdrawal of the appeal to work out his remedy before the learned trial Court.
6. Mrs. Anusha Naik, learned Deputy Government Advocate does not have any objection to such prayer.
7. In view of the above, the appeal as well as interim applications stands **disposed of** as withdrawn with the observation that the petitioner may, if so advised, work out his remedy in accordance with law.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice