



2026:CGHC:16688

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 2408 of 2025**

1 - State Of Chhattisgarh Through Its Station House Officer, Police Station- AJAK, District- Korba (C.G.)

... Appellant**versus**

1 - Sanjay Kumar Yadav S/o Fulsay Yadav Aged About 34 Years R/o Village- Pota Malkharouda, Police Station- Malkharouda, District- Sakti (C.G.)

... Respondent

For Appellant/State	: Mr. Akhilesh Kumar, G.A.
For Respondent	: None.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order On Board****10/04/2026**

1. Heard on I.A.No.1/2025, application for condonation of delay occurred in filing of the criminal appeal.
2. There is delay of 108 days caused in filing the appeal. The prayer made in the appeal shows that the appellant seeks to set aside the impugned order dated 15.04.2025 passed in Special Criminal Case (SC/ST) No. 08/2025 whereby the learned Special Judge SC/ST (Prevention of Atrocities) Act, Korba, District – Korba (C.G.) after appreciating the facts and evidence discharged/released the respondent-accused from the offence under section 296 of BNS and Sections 3(1)(R) & 3(1)(S) of SC/ST (Prevention of Atrocities) Act, in connection with Crime



No. 526/2024, registered at Police Station – AJAK, District Korba (C.G.).

3. Learned counsel for the appellant/State submits that after passing the order of discharge, the Law and Legislative Affairs department proposed to challenge the impugned order of discharge and thereafter the case was placed before the learned Advocate General. He submits that after obtaining necessary documents and instructions with respect to the case, the instant appeal has been filed and due to departmental procedure, the delay has occurred in filing the instant appeal, which is bona fide and not intentional. He relies on decision of the Supreme Court in State of ***Haryana Vs. Chandra Mani, (1996) 3 SCC 132*** and prays that the delay of 108 days in filing the instant appeal be condoned.
4. Having heard learned Counsel for the appellant-State and on perusal of the reasons stated in the condonation application, it appears that the appellant-State has tried to assert that the long delay of 108 days in preferring the instant appeal has occurred due to departmental procedure.
5. The Supreme Court has consistently held in numerous judgments that long delays in filing appeals by the State, especially those caused by "departmental procedure" or "office delays", cannot be routinely condoned. The Court has emphasized that the State is not entitled to preferential treatment in matters of limitation and that a "lackadaisical attitude" or "negligence" of government officials is not a sufficient cause to condone inordinate delays.
6. In a 2024 case, State of ***Madhya Pradesh v. Ramkumar Choudhary, (2024 INSC 932)*** the Supreme Court dismissed an appeal due to an excessive delay of 1,788 days (nearly six years), stating that the State failed to provide adequate justification and that such a delay made a mockery of justice. The said dictum of Supreme Court further unequivocally establishes that the judiciary will maintain a strict stance on



the condonation of delays, irrespective of the petitioner being a State authority. This judgment underscores the importance of administrative diligence and adherence to legal timelines, ensuring that the mechanisms of justice are not undermined by procedural lapses. Moving forward, state entities must enhance their internal processes to prevent delays, thereby safeguarding governmental interests and upholding the sanctity of the legal system.

7. In view of the above position of law, this Court is not inclined to condone the long delay of more than 3 months i.e., 108 days in filing the instant appeal merely on the ground of “departmental procedures”. Accordingly, I.A. No. 1/2025 is dismissed. Consequently, the instant appeal also stands **dismissed**.

Sd/-

(Sanjay Kumar Jaiswal)
Judge

H.L. Sahu