



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 3705 of 2025

1 - Jageshwari Goswami W/o Lt Dular Puri Goswami Aged About 53 Years
R/o H No. 666, Opposite Apollo Hospital, Lingiyadih, Secl Bilaspur (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station-Sarkanda, District-Bilaspur, Chhattisgarh.

--- **Respondent(s)**

(Cause title is taken from CIS system)

For Petitioner	: Mr. Aman Pandey, Advocate
For Respondents/State	: Mr. Suyashdhar Badgaiya, G.A.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

22/01/2026

1. Heard on petition filed U/s. 528 of BNSS for restoration and setting aside abatement of Criminal Appeal No.940 of 2021 and recalling of order dated 08.09.2025.
2. Learned counsel for petitioner submits that petitioner is widow of late Dular Puri Goswami, who has filed an appeal against his conviction U/s. 354 (B) of I.P.C. and Section 7 & 8 of the POCSO Act. Case was listed for hearing on 08.09.2025 and based on the information given by counsel representing deceased appellant, appeal was dismissed as having been abated. Petitioner wants to continue with appeal as based on the order of conviction, petitioner, who is widow lady will not be in a position to get the service benefits of deceased husband. Delay in

filing the application and seeking permission to continue with the appeal is bonafide as petitioner is an old widow lady and was not aware about the provisions of law and pendency of this case before this Court and about the brief in the office of the concerned Advocate.

3. Learned State counsel opposes the submission.
4. On due consideration on the submission of learned counsel for parties, this petition is allowed. The order dated 08.09.2025 passed in Criminal Appeal No. 940 of 2021 is hereby recalled and the Criminal Appeal No.940 of 2021 is restored to its original number.

Sd/-
(Parth Prateem Sahu)
Judge

Balram