

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR CONDONATION OF DELAY) NO.
3440 of 2026**

In F/CRIMINAL APPEAL/2719/2026

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KAJALBEN W/O HITESHBHAI HAMIRBHAI MUCHADIYA D/O DEVJIBHAI
VAGHELA

Versus
STATE OF GUJARAT
=====

Appearance:

MR YOGESHKUMAR A RATANPARA(7260) for the Applicant(s) No. 1
MR. ADITYA JADEJA, APP for the Respondent(s) No. 1
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CORAM:HONOURABLE MS. JUSTICE GITA GOPI

Date : 24/02/2026

ORAL ORDER

1. **Rule.** Learned APP waives service of rule for and on behalf of the respondent State.

2. Learned advocate Mr. Yogeshkumar Ratanpara for the applicant submits that prayer has been made for condoning the delay of 13 days for filing the Criminal Appeal challenging the judgment and order of sentence dated 07.11.2025 by Special Electricity Judge, District & Sessions Court, Junagadh in Special (Electricity) Case No. 18/2024. Learned advocate Mr. Yogeshkumar Ratanpara submitted that the conviction under Section 135 of the Indian Electricity Act, 2003 is for three years simple imprisonment

and the order of fine is of Rs.40,000/- referring to the receipt issued by the concerned Court, Learned advocate Mr. Yogeshkumar Ratanpara stated that the amount of fine of Rs.40,000/- has already been paid.

3. Learned advocate Mr. Yogeshkumar Ratanpara further submitted that the applicant is a lady who had to make arrangements for the funds for filing the appeal and the delay has occurred as she was also making arrangements for collecting case papers for filing of appeal and that has led to delay of 13 days.

4. Learned APP Mr. Aditya Jadeja stated that the delay of 13 days has not been sufficiently explained by the applicant and submitted to reject the application.

5. The applicant lady wants to challenge the judgment of conviction and sentence under Section 135 of the Indian Electricity Act, 2003 and the fine amount of Rs.40,000/- has already been deposited and as per learned advocate, the applicant was making arrangements for the funds and hence, the delay appears to have occurred since,

she was not in a position to immediately approach the advocate for handling the appeal. Considering the reason assigned and the fact that the appeal would be required to be heard on merits, the delay of 13 days is condoned.

6. Registry is directed to take the Criminal Appeal on file, numbering it in the Registry. Rule is made absolute.

ROHAN SONI

(GITA GOPI,J)