



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1567 OF 2026
IN
CRIMINAL APPEAL (ST) NO.9824 OF 2026**

Manoj Jethabhai Mer ... Applicant
versus
The Union Territory of Dadra and Nagar Haveli
and Daman and Diu and Ors. ... Respondents

WITH
CRIMINAL APPEAL (ST) NO.9824 OF 2026
WITH
INTERIM APPLICATION NO.1568 OF 2026

Mr. Pawan Mali, for Applicant.
Mr. Ashwin Thool with Ms. Archishmati Chandramore for Respondent.
Mr. D.J.Haldankar, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 11 JUNE 2026

P.C.

1. Heard the learned Counsel for the Applicant.
2. This is an application for condonation of 68 days delay in preferring an appeal against the judgment of conviction and order of sentence dated 23 December 2025 in Special Case No.1 of 2024, whereby the applicant has been convicted for the offences punishable under Sections 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment for five years and three years, respectively, and fine with default stipulation.

3. In para No.9 of the application, the applicant had ascribed reasons for not preferring an appeal within the stipulated period. The Applicant has been in custody since 6 December 2023. In view of the reasons ascribed in the application and to advance the cause of substantive justice, the delay in preferring the appeal deserves to be condoned.

4. Hence, the application stands allowed in terms of prayer clause (a).

5. Delay in preferring the appeal stands condoned.

6. Criminal appeal be registered.

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7. Admit.

8. Issue notice to the Respondents, returnable on 9 July 2026.

9. Learned Special PP waives notice on behalf of Respondent No.1.

10. Learned APP waives notice on behalf of Respondent No.5.

11. Respondent Nos.2 to 4 be served through the Police Inspector, Diu Police Station, Diu.

12. The Appellant shall furnish copies of the appeal memo and its accompaniments as well as Interim Application for suspension of sentence to the Police Inspector, Diu Police Station for service of notice on Respondent Nos.2 to 4. Report of service be filed by Diu Police Station on or before the Scheduled date.

(N.J.JAMADAR, J.)