



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLA No.693 of 2025**

*Sushanta Kisan*

.....

*Appellant*

Represented By Adv. -  
Akshaya Kumar Sahoo

-versus-

*1) State Of Odisha*

.....

*Respondents*

2) Victim  
informant

Represented By Adv. –  
B.K. Sahu, A.G.A.

**CORAM:**

**THE HON'BLE MR. JUSTICE ADITYA KUMAR  
MOHAPATRA**

**ORDER**

**04.08.2025**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

**I.A. No.1535 of 2025**

2. Heard learned counsel appearing for the appellant.
3. This is an application for condonation of delay in presenting the appeal.
4. Learned counsel appearing for the appellant at the outset contended that there exists a delay of about 126 days in preparing and filing of the criminal appeal. Learned counsel appearing for the appellant further submitted that the appellant is in custody since the date of his arrest i.e. on 22.08.2019. Even after his conviction also he is continuing in custody. In such view of the matter, learned counsel appearing for the appellant contended that the appellant was not in a position to arrange funds to engage a



counsel for preparation and presentation of the appeal memo. On such ground, learned counsel for the appellant contended that taking into consideration that the appellant has been convicted for commission of a crime punishable under Section 376 of I.P.C. and he has been sentenced to undergo imprisonment for the period of 10 years, the delay in filing the appeal be condoned.

5. Learned counsel for the State on the other hand objected for condonation of delay on the ground that the delay has not been properly explained.

6. Having heard the learned counsels appearing from both sides, taking into consideration the fact that the appellant is in custody since 22.08.2019 and that he has already been convicted and sentenced to undergo R.I. for 10 years, this Court is inclined to condone the delay of 126 days in filing the appeal. Accordingly, the delay is hereby condoned.

7. Accordingly, the I.A. stands disposed of.

**CRLA No.693 of 2025**

8. List this matter in the next week under the heading of “For Admission”.

**( A.K. Mohapatra )**  
**Judge**

Anil