

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 586 OF 2014

Babusingh Dhumsingh Gadiwale
Age 32 years, Occu. Presently nil
R/o Nanded Tq. Dist. Nanded
(At present in Jail)

.. Appellant
(Original Accused)

Vs.

The State of Maharashtra

.. Respondent

Mrs. Ranjana D. Reddy, Advocate for the appellant
Mrs. B.B. Gunjal, A.P.P. for the respondent/State

CORAM : M.T. JOSHI, J.

RESERVED ON : 16/06/2015
PRONOUNCED ON : 25/06/2015

OPERATIVE ORDER :

For the reasons recorded separately in the judgment pronounced today, the following order is passed:

2. The appeal is hereby partly allowed.

3. The appeal is dismissed as regards the conviction recorded by the learned Additional Sessions Judge-2, Nanded in Sessions Case No. 6 of 2009.

4. The judgment and order of the learned Additional Sessions Judge-2, Nanded dated 15/07/2014, sentencing the present appellant – Babusingh Dhumsingh Gadiwale to suffer rigorous imprisonment for five years and to pay fine of Rs.1,000/- in default to suffer rigorous imprisonment for one month, is hereby set aside.

. Instead, it is hereby directed that the appellant – Babusingh Dhumsingh Gadiwale shall suffer imprisonment for the period already undergone by him and also upon payment of fine of Rs.1,000/-.

5. Certified copy of the judgment shows that the fine amount is already deposited, hence, the appellant – Babusingh Dhumsingh Gadiwale be forthwith released, in case, he is not required in any other offence.

6. Appeal is accordingly disposed of.

Sd/-
[M.T. JOSHI]
JUDGE

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