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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL REVISION APPLICATION NO. 92 OF 2015

Shri Bajarang Kisan Phalke and Ors. ... Applicants

Versus

The State of Maharashtra ... Respondent

Mr. V.S. Talkute for the applicants.

Mr. A.R. Patil, A.P.P. for State.

**CORAM : M.L. TAHALIYANI, J.
DATED : MARCH 23, 2015**

P.C.

Admit. By consent, heard finally at admission stage.

This revision application is filed against the judgment and order passed by learned Additional Sessions Judge-3, Satara in Criminal Appeal No. 69 of 2012. The applicants have been convicted by learned Assistant Sessions Judge, Satara in Criminal Case No. 58 of 2009 for the offence punishable under section 325 read with 34 of the Indian Penal Code and have been sentenced to suffer R.I. for three

years. They have further been convicted of the offence punishable under section 506 read with 34 of the Indian Penal Code and are sentenced to suffer R.I. for one year.

2. Learned Sessions Judge, Satara has dismissed the appeal filed by the applicants. During the course of hearing of the Revision Application, it was noted that there is dispute between the applicants and injured witnesses in respect of the property. It is also noticed that there was cross case being Sessions Case No. 125 of 2010 tried by the same Assistant Sessions Judge arising out of the same incident. The injured persons were accused in the said complaint. They have been acquitted in the said Sessions Case No. 125 of 2010.

3. After considering the facts of the case and particularly the case and cross case between the parties, I am of the view that a lenient view needs to be taken in the matter. I have also gone through the injury reports. There were no deadly injuries or injuries to vital parts of the body. Considering all these aspects of the case, I am of the view that the period already undergone by the applicants will serve ends of

justice. The applicants have undergone sentence of more than four months each. Hence, I modify the order as under :

The conviction of the applicants for the offences punishable under section 325 and 506 read with 34 of Indian Penal Code is maintained. However, the sentence part is modified as under :

The applicant shall undergo R.I. for the period already undergone by them. They shall pay compensation as per clause 5 of the trial court's order. The revision application stands disposed of.

(JUDGE)