

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

**CRIMINAL APPLICATION NO.628 OF 2014
IN
CRIMINAL APPEAL NO.380 OF 2014**

Rahul Shankar Jadhav ..Applicant/Appellant

V/s.

The State of Maharashtra .. Respondent

None present for applicant/appellant.

Mrs.P.P.Bhosale, APP for State.

CORAM : A. R. JOSHI, J.

DATE : 12TH AUGUST, 2015

P.C.

1. None for the applicant-appellant. Appeal is already admitted on 09th June 2014. Since then the application for bail and suspension of substantive sentence is pending. On various earlier dates adjournments were taken. On 10th June 2015 upon request on behalf of the applicant-appellant matter was adjourned to 17th June thereafter it was adjourned to 24th June and then on 15th July 2015. On 15th July 2015 a last chance was given till 29th July 2015 for arguments. Thereafter matter is adjourned today. In the first setting none present for the applicant and another learned advocate holding for the

Advocate Shri. Jaideep Mane requested to kept back the matter in second sitting. In second sitting also none present.

2. The court has gone through a copy of judgment and also the evidence on record. The applicant is convicted for the offences punishable under sections 363,376 and 506 of Indian Penal Code. For the offence punishable under section 376 he is sentenced to suffer RI for 10 years and to pay fine of Rs.20,000/-. For offence punishable under section 363 of Indian Penal Code he is sentenced to suffer RI for 5 years and pay fine of Rs.5,000/-.

3. The offence of forcible sexual intercourse is on the victim girl who is aged about 14 years and 2 months. The present applicant-accused no.1 committed forcible sexual intercourse on the victim girl. Evidence of doctor P.W.No.11 clearly shows the tear of hymen at 5 O'clock and 6 O'clock position with fresh tear and minimal bleeding present. Considering these circumstances there is nothing to allow in the present application. The same is accordingly dismissed and disposed of.

(A. R. JOSHI, J)