

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 359 OF 2003

Madhusudan s/o Vishnu Ghangurde,
Age: 73 years, Occ: Pensioner,
R/o. Chalisgaon, Dist. Jalgaon.

...Applicant

versus

The State of Maharashtra

...Respondent

.....
Mr. A.N. Sabnis, Advocate for applicant
Mr. R.V. Dasalkar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 15th APRIL, 2016

ORAL ORDER :

Heard Mr. Sabnis, learned Counsel for the applicant-accused.

2. The applicant-accused was convicted by learned Chief Judicial Magistrate, Jalgaon in Regular Criminal Case No. 68 of 1993 vide judgment and order dated 20/06/1998 for the offence punishable under Section 409 of the Indian Penal Code and sentenced to suffer simple imprisonment for two months and fine of Rs.5000/-, in default to suffer simple imprisonment for two weeks, for the offence punishable under Section 467 of the Indian Penal Code and

sentenced to suffer simple imprisonment for two months and fine of Rs.6000/-, in default to suffer simple imprisonment for two weeks.

2. In Criminal Appeal No.36 of 1998, learned Sessions Judge, Jalgaon dismissed the appeal and directed the accused to surrender his bail, as is observed in the judgment and order dated 15/10/2003. Hence, the present revision application by the applicant.

3. The present criminal revision application came to be admitted on 28/10/2003 and the present applicant was already released on bail.

4. Having gone through the reasons, which are formed to be the basis for conviction, in my opinion, it will be appropriate to extend benefit of Section 428 of the Code of Criminal Procedure to the applicant. The criminal revision application is disposed of accordingly.

[N.W. SAMBRE, J.]