

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 936 OF 2015

Neelam Bapu Khomne,
Age : 25 years,
Occupation – Student,
R/o. House No.12,
Bhavaninagar Marketyard,
Ahmednagar,
Dist. Ahmednagar

.. Appellant
(Orig. Accused)

Vs.

The State of Maharashtra
Through Investigation Officer,
MIDC CIDCO Police Station,
Tq. & Dist. Aurangabad

.. Respondent

Mr. R.V. Gore, Advocate for the appellant
Mr. N.T. Bhagat, A.P.P. for the respondent/State

CORAM : M.T. JOSHI, J.

DATE : 10/02/2016

OPERATIVE ORDER :

. For the detailed reasons forwarded in the judgment delivered today, the following order is passed:-

2. Criminal Appeal is hereby allowed.

3. Conviction of the appellant recorded by the learned Additional Sessions Judge, Aurangabad vide the

judgment and order dated 11/05/2015 passed in Sessions Case No. 234 of 2013 for the offence punishable under section 395 of the Indian Penal Code is maintained. However, the order of the learned Additional Sessions Judge, Aurangabad sentencing the present appellant to undergo rigorous imprisonment for a period of 4 years for the offence punishable under section 395 of the Indian Penal Code, is hereby set aside.

. Instead, the appellant is directed to undergo the sentence, already undergone by her with a direction to pay the fine, as directed by the learned Additional Sessions Judge, Aurangabad.

4. The appellant be released forthwith, if not required in any other offence/s and in case the fine amount is deposited by her.

5. Criminal Appeal is accordingly disposed of in the above terms.

[M.T. JOSHI]
JUDGE

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