

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1337 OF 2016

IN

CRIMINAL APPLICATION NO.1205 OF 2016

IN

CRIMINAL APPEAL NO.678 OF 2016

Jayashri Anandrao Bhoyete ... **Applicant**

IN THE MATTER BETWEEN

Mr. Pandurang Mansing Gunjawate ... **Accused**

V/s.

The State of Maharashtra ... **Respondent**

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Mr. Pavan S. Patil, Advocate for the Applicant/Intervener.

Mr. P.H.Gaikwad Patil, APP for the Respondent/State.

Mr. A.P.Mundargi, Sr. Advocate with Mr. Abhijit B. Kadam and Ganesh Bhujbal, Advocates for Accused.

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CORAM : P. N. DESHMUKH J.

DATED : OCTOBER 26, 2016.

P.C.

1 Issue notice to respondent. Learned APP accepts notice on behalf of State. Learned Senior Counsel Mr. Mundargi accepts notice for original accused. This is an application for intervention filed by original complainant Jayashree on the basis of whose report, applicant was tried for the offences punishable under the provisions of IPC and SC ST Act as well as under Protection of Civil Rights Act. It is, however, noted that applicant is acquitted of offence punishable under Sections

3(1)(x) of SC ST Act and 353, 506 of IPC and 7(1)(d) of Protection of Civil Rights Act while he is convicted for the offence punishable under Section 354B and 341 of IPC. Learned Senior counsel for Original Accused has contended that applicant had not resisted applications filed by original accused for suspension of sentence and for grant of bail but had intervened in the present application filed for suspension of conviction, only with a view to avoid chance of applicant to file his nomination papers for the forthcoming elections of Municipal Council, Phaltan, District: Satara which are scheduled to be held in the month of November, 2016 for which process for filing nomination papers is in progress and such form has to be filled on or before 29.10.2016. In that view of matter and having considered admitted fact of original complainant not resisting application for grant of bail and for suspension of sentence, I find no substance in the application. However, in the interest of justice, same is allowed.

(P. N. DESHMUKH J.)