

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

CRIMINAL APPEAL NO. 6 OF 2002

Lotan Budha Chaudhari,
Age : 48 years, Occu. Agriculture,
R/o. Village Kuttarmare, Tq. Sakri,
Dist. Dhule.

.. **Appellant**

Versus

1. The State of Maharashtra.
2. Dhanibai d/o Kashyaram Pawar,
Age : 18 years, Occu. Household and Labour,
R/o. Village Kuttarmare, Tq. Sakri,
Dist. Dhule.

.. **Respondents**

.....
Mr Prakashsing B. Patil, Advocate for the appellant
Mr K. S. Patil, APP for respondent No. 1/State
Respondent No. 2 though served absent
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CORAM : V. L. ACHLIYA, J.
RESERVED ON : 05/01/2017
PRONOUNCED ON : 04/04/2017

OPERATIVE ORDER : -

For the reasons separately recorded in the accompanying judgment the Court passed the following order :

- (I) Criminal Appeal No. 6/2002 is allowed. The Judgment and Order dt. 10.12.2001 passed by the learned *Ad-hoc* Additional Sessions Judge,

Dhule, convicting the appellant u/s 376 & 506 of IPC in Sessions Case No. 71 of 2001, is set aside. The appellant-accused stands acquitted of offence u/s 376 & 506 of the IPC.

- (III) In case the fine amount if not already paid to the victim as compensation, then same shall be refunded to the appellant.

[V. L. ACHLIYA]
JUDGE