

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPA) NO.147 OF 2017
IN
CRIMINAL APPEAL NO.79 OF 2017

Ramesh s/o Jaipal Patle
..VS..
State of Mah., Police Station Amgaon, District Gondia.

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri K.P. Joshi, Counsel for the applicant.
Ms Udeshi, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.
DATED : JUNE 27, 2017.

Heard learned counsel Shri K.P. Joshi for the
applicant *in extenso*.

The applicant, who is seeking suspension of
substantive jail sentence, is a teacher and the victims are 6 in
numbers and they are students. Their age is ranging in between
8 to 9 years.

Learned Judge of the Court below, after
considering the evidence, has found that the prosecution has
proved its case beyond reasonable doubt against the applicant.

It is the submission of learned counsel for the
applicant that though offence is very grievous and serious in
nature, irregularities are committed during the course of the

.....2/-

Trial, this is a case for remand.

This particular aspect will be considered at the time of its final hearing. Surely, *prima facie* evaluation of the evidence by learned Judge of the Court below cannot be faulted at. Hence, the application is rejected.

Learned counsel for the applicant submits that he will be filing paper-book within a period of four weeks. If the paper-book is filed within a period of four weeks, thereafter the matter will be considered as to when the matter will be fixed for final hearing.

JUDGE

!! BRW !!