

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL (ST) NO.578 OF 2017

The State of Maharashtra	 Appellant
versus	
Vishal Vishwas Kumbhar	... Respondent

.....

- Mr.Ajay Patil, APP for the State/Appellant.
- None for the Respondent.

**CORAM : B. R. GAVAI &
SARANG V. KOTWAL, JJ.**
DATE : 11th JUNE, 2018.

P.C. :

1. Heard the learned APP.

2. The learned APP for the Appellant submitted that the learned Trial Judge having convicted the Respondent for the offence punishable under Section 326 and 323 of the Indian Penal Code has erred in awarding sentence for two months and 15 days.

3. The perusal of impugned Judgment reveal that while

awarding sentence the learned Trial Judge has taken into consideration that the accused was of 22 years of age. He is physically handicapped. From the material placed on record, it appears that the incident was outcome of sudden quarrel between the friends.

4. Not only that, while awarding the sentence the learned Trial Judge has directed compensation of Rs.35,000/- to be paid.
5. In this view of the matter, it cannot be said that view taken by the learned Trial Judge is perverse or illegal to warrant interference.
6. In view thereof, the Appeal is dismissed.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)