

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO.324 OF 2005

Madhukar s/o Bapurao Khatode,
Age-55 years, Occu:Agri.,
R/o-Rajapur, Tq-Sangamner,
Dist-Ahmednagar.
(Today Petitioner is in Jail)

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
- 2) Ratanbai w/o Raghunath Khatode,
Age-35 years, Occu:Agri.,
R/o-Wirgaon, Tq-Akole,
Dist-Ahmednagar.

...RESPONDENTS

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Mr.S.K. Shinde Advocate for Applicant.
Mr.S.P. Sonpawale, A.P.P. for Respondent No.1.
None present for Respondent No.2 though served.

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CORAM: V.M. DESHPANDE, J.

DATE : 9TH APRIL, 2019

ORAL JUDGMENT :

1. Heard Shri S.K. Shinde, the learned

counsel for the Applicant and Shri S.P. Sonpawale, the learned Additional Public Prosecutor for State.

2. The Applicant - Madhukar Khotode, accused No.4, was convicted for the offence punishable under Section 448 of the Indian Penal Code and was directed to suffer simple imprisonment for one month and to pay a fine of Rs.50/-. Similarly, he was convicted for the offence punishable under Section 323, 506(I) read with Section 34 of the Indian Penal Code also, and the sentence was for one month. All the sentences were directed to run concurrently. Against the said, appeal was preferred and the learned lower appellate Court on 27th September, 2005, dismissed the Appeal filed on behalf of the Applicant.

3. It is the submission of the learned counsel Shri S.K. Shinde that, after the appeal

was dismissed on 27th September, 2005, the Applicant was taken into custody immediately. He thereafter, preferred the present Revision Application. In the Revision memo, it is stated that the Applicant was in jail at the time of presentation of the Revision.

4. On 21st October, 2005, this Court (CORAM: S.P. KUKDAY, J.) granted bail to the Applicant. According to the learned counsel for the Applicant, the bail writ was ready on 24th October, 2005, thereafter the Applicant was released on bail. Thus, according to the submission of the learned counsel, the Applicant has already undergone the sentence. Statement accepted. In view of the fact that the Applicant has already undergone the jail sentence, the Revision Application is disposed of. Rule is discharged.

[V.M. DESHPANDE, J.]