

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 840 OF 2006
WITH
CRIMINAL APPLICATION NO. 554 OF 2019

Balasaheb S/o. Mahadeo Mankar,
Age. 31 years, Occ. Doctor,
R/o. Yogeshwar Colony, Gangakhed,
Tq. Gangakhed, Dist. Parbhani.

...Appellant.
(Ori. Accused)

Versus

The State of Maharashtra,
through its police station,
Gangakhed, Tq. Gangakhed,
Dist. Parbhani.

...Respondent.

Advocate for the appellant : Mr. V.D. Salunke.
APP for State : Mr. Y.G. Gujrati.

CORAM : SMT. SADHANA S. JADHAV, J.
Dated : 22.07.2019

ORAL JUDGMENT :

1. The appellant herein is convicted for the offence punishable under Section 354 of the Indian Penal Code and sentenced to rigorous imprisonment for three months and to pay a fine of Rs. 3,000/- in default, simple imprisonment for one month by Adhoc Additional Sessions, Gangakhed, vide judgment and order dated 16.11.2006. The compensation of Rs. 2,000/- was given to original complainant.
2. Being aggrieved by the said judgment and order, the appellant has filed Appeal No. 840/2006, which is admitted by this Court. During the pendency of

the Appeal the parties have arrived at an amicable settlement and hence, they have jointly appeared before this Court and are praying for composition of offence.

3. The complainant is before the Court and it is submitted that by passage of time, she realized that sufficient harm is done to the appellant who happens to be a medical practitioner. For the sake of maintaining harmony in both the communities, the complainant has decided to forgive the appellant as even according to her she had misunderstood the steps taken by the appellant in the course of examining her.

4. She produced the application seeking compensation. The purported act is committed in the year 2004 and at that time the offence was cognizable and bailable. It was also compoundable. Hence, the permission for compounding is granted.

5. In view of this the appeal stands disposed of. The sentence of fine is also set aside. Bail bonds stand cancelled. In view of this no orders are necessary in criminal application No. 554/2019.

(SMT. SADHANA S. JADHAV, J.)