

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

**CRIMINAL APPLICATION (APPA) 289 OF 2019**

**IN**

**CRIMINAL APPEAL 188 OF 2019**

(Ramchandram Ankalu Durgam..vs.. Stte, thr PSO PS Sironcha)

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

*Court's or Judge's orders.*

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Ms. S.B. Khobragade, counsel for applicant.  
Mr. T.A. Mirza, APP for respondent.

**CORAM: ROHIT B. DEO, J.**

**DATE: 4<sup>th</sup> JUNE, 2019.**

The appellant is convicted of offence punishable under section 307 of the Indian Penal Code (IPC) and is sentenced to suffer rigorous imprisonment for five years.

2            Ms. Sonali Khobragade, the learned counsel for the applicant would submit that even if the evidence on record is taken at face value, at the most, the offence would be under section 324 of the IPC and not under section 307 of the IPC. This submission is of course without prejudice to her contention that the prosecution has not established any offence.

3            Having regard to the evidence on record and the fact that the accused also appears to have suffered some injuries, and the duration of the sentence, I find it appropriate to suspend the sentence of imprisonment.

4           The sentence is suspended. The appellant – accused shall be released on bail on same terms and conditions as in the trial Court.

5           The appellant shall report at the Sironcha Police Station once in three months and shall attend every date of hearing of the appeal.

**JUDGE**

rsb