

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

904 CRIMINAL REVISION APPLICATION NO.43 OF 2020

**DEEPAK ASARAM SATHE AND OTHERS
VERSUS
MOHAN KUSHABA SATHE AND ANR**

Mr.D.G. Nagode, Advocate for the applicants.
Mr.S.W. Munde, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 07.10.2022**

PC :-

01. Heard learned Counsel for the parties. Learned Counsel for the applicants submits that by way of impugned order he has been given benefit of The Probation of Offenders Act, 1958. Clause 6 of the impugned order is as under :-

“06. Accused are sentenced to pay compensation of Rs.2,000/- (Rupees Two Thousand only) each to Mohan Kushba Sathe, Devkabai Kushaba Sathe and Kalinda Digambar Sathe, all R/o. Narayandhoda Tal. Dist. Ahmednagar under Section-5 of Probation of Offenders Act.”

02. Grievance of the applicants is that when the compensation is paid, it is not by way of fine or it cannot be said to be a sentence. He states that the compensation amount is already paid and the words “are sentenced” in the order casts stigma on the applicant.

03. Considering this aspect and since the compensation is paid, the impugned order is modified by deleting the word “are sentenced”. Clause 6 shall be read as under :-

“06. Accused to pay compensation of Rs.2,000/- (Rupees Two Thousand only) each to Mohan Kushba Sathe, Devkabai Kushaba Sathe and Kalinda Digambar Sathe, all R/o. Narayandhoda Tal. Dist. Ahmednagar under Section-5 of Probation of Offenders Act.”

04. Rest of the impugned order is maintained as it is.

05. The criminal revision application is disposed of.

[KISHORE C. SANT, J.]