

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

CRIMINAL REVISION APPLICATION NO.62/2022

Hansraj s/o Mahadeorao Pakhale

...Versus...

State of Maharashtra through Police Station Officer, Police Station Frezarpura,
Amravati Tq. & Dist. Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Ms Aastha Sharma, Advocate for applicant
Mrs. M.H. Deshmukh, APP for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 16/03/2022

1. Heard Ms Sharma, learned Counsel for the applicant.
2. The revision challenges the concurrent findings rendered by the Courts below regarding conviction of the applicant under Section 498-A of IPC and though the learned Trial Court has sentenced the applicant for a period of three years, the same has been modified and reduced by the learned Sessions Court to the period of five months.
3. Ms Sharma, learned Counsel for the applicant submits that the Courts below have misread the evidence of the P.W. 1-Victim and P.W. 3-mother-in-law, in so far as the alleged demand and harassment is concerned. It is further submitted that there are material contradictions between the evidence of victim and her mother. P.W. 2 and P.W. 4, have not supported the story put forth by the prosecution. She,

therefore, submits that the applicant is entitled to a reconsideration of the evidence led on record, at the hands of this Court, considering which, issue notice for final disposal at the stage of admission to the respondent, returnable on 28/03/2022.

4. Call for record and proceeding.
5. Mrs. M.H. Deshmukh, learned Additional Public Prosecutor waives service of notice for the respondent.
6. Learned Additional Public Prosecutor shall ensure that the record and proceeding is received by 28/03/2022.

CRIMINAL APPLICATION (APPR) NO.69/2022

1. This application seeks suspension of sentence and grant of bail.
2. Considering what has been discussed above while issuing notice, the sentence imposed upon the applicant by the learned Sessions Court is suspended and the applicant be released on bail upon execution of P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) and one solvent surety in like amount.
3. Bail before the lower Court.
4. Criminal Application is allowed and disposed of accordingly.

(AVINASH G. GHAROTE, J.)