

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

CRIMINAL APPLICATION NO.2201 OF 2023

Keshav s/o Vinayak Solanke

... APPLICANT

VERSUS

1. The State of Maharashtra

2. Sulabha w/o Santosh Sanap

... RESPONDENTS

.....
Mr. Pratik Bhosle, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent No.1.
Mr. Amol Chalak, Advocate for R.No.2
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 6th JULY, 2023

ORDER :

Heard. This is an application under Section 482 of the Code of Criminal Procedure for setting aside the judgment and order dated 3/3/2020, passed by learned Judicial Magistrate, First Class, Mantha in R.C.C. No.40/2017 and the Criminal Appeal No.25/2020, pending in the Court of learned Additional Sessions Judge, Jalna, convicting the applicant for the offences punishable under Sections 354-A(1)(i) of the Indian Penal Code and sentencing to suffer rigorous imprisonment for two years and to pay

fine of Rs.5000/-, in default to suffer simple imprisonment for one month.

2. The informant and the applicant have entered into a compromise and they have filed terms of compromise at Exhibit D. Considering the fact that the parties have settled their dispute, the application deserves to be allowed. Hence the order :

ORDER

- (i) The application is allowed in terms of prayer clause (C),
- (ii) Conviction of the applicant recorded by learned Judicial Magistrate, First Class, Mantha by judgment and order dated 3/3/2020 passed in R.C.C. No.40/2017 is hereby set aside.
- (iii) The applicant is acquitted of the offence punishable under Section 354-A(1)(i) of the Indian Penal Code.
- (iv) Criminal Appeal No.25/2020, pending in the Court of learned Additional Sessions Judge, Jalna to stand disposed of.
- (v) Bail bonds/ bonds of good behaviour of the applicant to stand cancelled.
- (vi) As a condition of this order, the applicant shall deposit an amount of Rs.10,000/- (Rupees ten thousand) only) as costs, in the

registry of this Court within a period of two weeks from today along with the details, such as, name of the depositor, his/her/their PAN Number, Mobile Number and address. On deposit of the said amount, as aforesaid, the Registry is directed to transmit the said amount along with the aforesaid details of the depositor/s, to the NAAM Foundation, which is working for prevention of suicidal death of farmers in Maharashtra State, as early as possible. The account details of the NAAM Foundation, are as under :

Name of the Bank	:	State Bank of India (07339) University Road, Pune, Maharashtra
Account No.	:	35226127148
IFSC Code	:	SBIN0007339
Account Type	:	Current Account.

3. List the matter for compliance of this order, on 20th July 2023.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-