

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 CRIMINAL APPLICATION NO.4013 OF 2023

Sharad Shivaji Shinde

..APPLICANT

-VERSUS-

1. The State of Maharashtra

2. Rukminibai w/o Vitthal Kurdhane

..RESPONDENTS

...
Advocate for Applicant : Mr. Bhosle Pratik Arvind
APP for Respondent/State : Mr. S.N. Morampalle
Advocate for respondent No.2 : Mr.A.B. Chalak

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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 4th NOVEMBER, 2023.**

PER COURT :-

. Heard.

2. Issue notice to the respondents. The learned APP waives service of notice on behalf of respondent/State. The informant also appears through advocate.

3. Terms of compromise have been placed on record. The applicant has been convicted for the offence under section 354-A(1) of the Indian Penal Code, and therefore, sentenced to suffer R.I. for one year and fine of Rs.1000/- with default stipulation.

4. Since the victim has come around to settle the matter and files affidavit, we allow the application in terms of the following order :-

ORDER

- (i) The application is allowed.
- (ii) The order of conviction and consequential sentence of the applicant for offence punishable under section 354-A(1) of the Indian Penal Code is hereby set aside. The applicant stands acquitted of the said offence.
- (iii) The amount of fine paid by the applicant be paid back to him. The appeal pending before the Court of Sessions, Jalna stands disposed of in terms of this order.
- (iv) The applicant shall deposit a sum of Rs.20,000/- as costs with the office of the Government Pleader for E-Library, within a week from today. The bank account details of the same are as under :-

Name :	Establishment Officer, Office of Government Plader, High Court, Aurangabad
A/c. No. :	62002338300
Bank :	State Bank of India
Branch :	High Court, Aurangabad
IFSC :	SBIN0020997

(v) List the matter on 29th November, 2023, for compliance of the order.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

sga/