



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 134 OF 2003

Raju Damodhar Bhujang
Age: 28 years,
Occu.: Agriculture,
R/o. Bidkin, Taluka Paithan,
Dist.Aurangabad.
(At present lodged in Central
Jail, Harsul, Aurangabad)

....Appellant
(Original accused no.1)

Versus

- 1) State of Maharashtra
Through Police Station, Bidkin,
Taluka Paithan, Dist.Aurangabad.
- 2) Pralhad s/o. Namdeo Gaikwad
Age: 47 years, Occu.: Service,
R/o. Ranjangaon Shenpunji,
Taluka Gangapur, Dist.Aurangabad.
(Respondent no.2 is deleted as per
Court's order dated 27-08-2003)

...Respondents

.....
Advocate for Appellant : Mr.B.S. Bhale
APP for Respondent no.1 : Mr.D.J.Patil
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 05 APRIL, 2024

PRONOUNCED ON : 17 APRIL, 2024

JUDGMENT :-

1. Dissatisfied by the judgment and order of conviction passed
by the learned II Additional Sessions Judge, Aurangabad dated

31-01-2003 in Sessions Case No.235 of 2000 for offence under Sections 498-A, 306, 304-B of the Indian Penal Code (IPC), appellant Raju has preferred instant appeal.

PROSECUTION STORY IN TRIAL COURT

2. Deceased Sunita was married to appellant on 26-04-1998. After marriage, she went to reside with her husband and in-laws at Bidkin. According to prosecution, everything was smooth for a month or two, but thereafter, Sunita was subjected to ill-treatment on account of demand of money for purchasing a plot and further to carryout construction over it and also demand of money for purchasing a Motorcycle. On festivals, whenever deceased Sunita come to her maternal home, she used to inform about it to her father. When she came for Diwali festival of 1998, Sunita again informed about demand of money by accused for purchasing a plot and a Motorcycle and on failure to meet it, she being ill-treated. Finally news was received on 09-01-1999 about Sunita dying due to drowning. Therefore, on 10-01-1999, her father lodged report exh.31, on the strength of which, crime was registered and the same was investigated by PW7 Tak (PSI).

After gathering sufficient evidence, PW7 Tak chargesheeted

accused husband and in-laws, who were finally made to face trial before the learned II Additional Sessions Judge, Aurangabad vide Sessions Case No.235 of 2002 for offence under Sections 498-A, 304-B and 306 of the IPC.

Prosecution tried to establish its case on the basis of evidence of seven witnesses and documentary evidence like FIR, panchanama, Doctor's opinion etc.

After appreciating evidence, the learned trial Court reached to a finding that death of deceased Sunita was suicidal and held case proved but only as against accused no.1 husband for offence under Sections 498-A, 304-B and 306 of the IPC and sentenced him to suffer rigorous imprisonment for one year for offence under Section 498-A of the IPC and rigorous imprisonment for seven years for offence under Section 304-B of the IPC. No separate sentence was awarded for offence under Section 306 of the IPC. Rest of the accused were acquitted.

Consequently, appellant, convict husband has taken exception to above judgment and order by filing instant appeal.

SUBMISSIONS

On behalf of appellant :

3. Learned Counsel for the appellant would submit that

apparently implication is false. That prosecution has failed to establish charges beyond reasonable doubt. According to him, there is no independent witnesses. That allegations of demand, ill-treatment are general, bald and omnibus in nature. Consequently, it is his submission that offence under Section 498-A of the IPC was not at all made out.

He further submits that merely because death has taken place within seven years of marriage, charge under Section 304-B has been slapped, but according to him, there is nothing to show that there was dowry demand and soon before death, deceased was subjected to ill-treatment and therefore, she committed suicide. Thus, according to him, charge under Section 304-B has not been cogently proved.

According to him, scene of occurrence panchanama shows that deceased was accompanied by a boy on the date of incident. That there is no evidence of any instances involving husband. That deceased had accompanied by PW4 Nandu to the field of a neighbour and her footwear were found kept besides a well in which she was found to have died due to drowning. He further pointed out that injuries noted on the external surface of body are as a result of fall and cannot be attributed to beating or otherwise. Consequently,

it is his submission that death being accidental and there is no evidence to connect appellant to the death, prosecution had miserably failed to bring home the charges. He further submitted that here on same set of evidence, out of six accused, only appellant husband is held guilty whereas rest are acquitted. Therefore, it is his submission that there is improper appreciation of evidence by the learned trial Court. Consequently, he criticized the judgment and conclusion reached at by the learned trial Court stating it to be patently perverse, illegal and not sustainable in the eyes of law.

On behalf of State :

4. In answer to above, learned APP pointed out that there is cogent, reliable evidence. That merely after two months of marriage, accused husband raised demand of money for purchasing a plot and a Motorcycle. That deceased reported promptly to her father. That only on failure to meet said demand, there was continuous ill-treatment. That deceased met unnatural death while she was in the custody of husband. That death having been taken place within seven years of marriage, offence under Section 304-B of the IPC automatically gets attracted.

Learned APP pointed out that FIR is also promptly lodged. That

evidence of prosecution is reliable and convincing and so the learned trial Court has correctly appreciated the same and committed no error whatsoever in convicting appellant. According to him, there is no merit in the appeal and he prays to dismiss the appeal for want of merits.

5. To prove its case, prosecution has adduced evidence of in all seven witnesses in the trial Court. The sum and substance of their evidence is as under :

EVIDENCE ON RECORD

6. **PW1** Dr.Sitalal Narayan Rathod is the Medical Officer, who conducted post mortem and issued opinion about death to be due to drowning.

7. **PW2** Pralhad Namdeo Gaikwad is father of deceased Sunita. In his evidence at exh.30, he deposed about marriage of his daughter Sunita with accused no.1 Raju taking place on 28-04-1998, dowry of Rs.25,000/- being paid and his daughter going to cohabit with husband at Bidkin. According to him, after two months of marriage, ill-treatment begun. That his daughter reported that accused no.1 was insisting her that she should ask her father to purchase a plot, to

construct house over it at Bidkin and further demand was made for purchase of a Motorcycle. He deposed that once, he himself and his brother-in-law PW6 Sandulal Gaikwad had been to Bidkin. At that time, accused husband had shown one plot having basement to PW6 Gaikwad and asked him to inform this witness to purchase the plot for him, construct house over it and give him a Motorcycle. However, this witness was not in a position to meet said demand. Similar demand was made with his wife and on that count ill-treatment being given to daughter. That during Diwali of 1998, deceased disclosed again to this witness about ill-treatment. That when she went after Diwali to her matrimonial house, on 09-01-1999, a message of death of deceased due to drowning was received. After post mortem and funeral on 10-01-1999, report was lodged in Bidkin Police Station.

8. **PW3** Zumberbai Pralhad Gaikwad, wife of PW2 Pralhad and mother of deceased, deposed at exh.32 that after two months of marriage, there was ill-treatment to her daughter. That accused were insisting for a plot and a Motorcycle and **some money**. During festival, deceased elaborated about ill-treatment. Even this witness deposed about she herself, her husband and PW6 Sandulal Gaikwad

visiting the accused to convince them, but ill-treatment continued. According to her, when she met her daughter at Paithan Kheda, she was weeping and saying that when she had been to take bath, accused persons had taken away her Mangalsutra and had not returned it. Finally, she received news about her death.

9. **PW4** Nandu Balu Doke stated that he knew accused as well as deceased. According to him, the incident took place on 09-01-1999. When he returned from School at noon time, deceased requested him to accompany her to the field for plucking fruits. Another boy namely Vilas was also accompanying them. While his mother and grandmother were plucking cotton crop, he and Vilas took meals with deceased and thereafter, they went towards fruit bearing tree, which was 10 to 15 feet away from well. While boys were plucking fruits, after some time, deceased was not seen, therefore, when they peeped in the well, they saw her. He stated that she was alive and so he tried for help. Hearing cries uncle of this witness namely Manohar Dokhe came but by that time, she had died.

10. **PW5** Anita Harish Bhalerao, sister of deceased also deposed that after marriage of deceased Sunita, when she had come to meet her, she stated about demand of money for purchasing a plot and a

Motorcycle and informed about being harassed.

11. **PW6** Sandulal Mahadulal Gaikwad, brother-in-law of PW2 Pralhad stated that before Diwali of 1998, he had been with PW2 Pralhad to meet deceased. At that time, accused no.1 shown them a plot saying that **he was intending to purchase it**. Accused no.1 further stated that he is having some amount and **they should also pay some amount for purchasing plot**. He claims that he told about it to PW2 Pralhad and that he should help him. On 09-01-1999, they received news of death of deceased due to drowning.

12. **PW7** Satishkumar Deorao Tak (PSI) is the Investigating Officer.

13. Here including appellant husband, in-laws were charge-sheeted for commission of offence under Sections 498-A, 304-B, 306 of the IPC. Learned trial Court, on appreciation of evidence, acquitted accused nos.2, 3, 4 and 6 from all the charges and held husband Raju alone guilty for offence under Sections 498-A, 306 and 304-B of the IPC.

14. Here conviction is for the offence under Sections 498-A, 304-B

and 306 of the IPC.

Before, putting evidence to analysis, it would be desirable to spell-out essential ingredients for attracting each of the above offences.

First Charge is of Section 498-A of the IPC :

15. Law is fairly settled that, for attracting the charge under section 498-A of IPC, prosecution is duty bound to prove following essential ingredients :-

- “(1) A woman was married;*
- (2) She was subjected to cruelty;*
- (3) Such cruelty consisted in -*
 - (i) any lawful conduct as was likely to drive such woman to commit suicide or to cause grave injury or danger to her life, limb or health whether mental or physical;*
 - (ii) harm to such woman with a view to coercing her to meet unlawful demand for property or valuable security or on account of failure of such woman or any of her relations to meet the lawful demand ;*
 - (iii) the woman was subjected to such cruelty by her husband or any relation of her husband.”*

Judicial Precedent and Legal Position :

16. As to what actually constitutes cruelty has been lucidly and succinctly dealt in the landmark case of ***Giridhar Shankar Tawade v.***

State of Maharashtra (2002) 5 SCC 177, where the Court dwelling upon the scope and purport of Section 498-A IPC has held as under:

“The basic purport of the statutory provision is to avoid ‘cruelty’ which stands defined by attributing a specific statutory meaning attached thereto as noticed herein before. Two specific instances have been taken note of in order to ascribe a meaning to the word ‘cruelty’ as is expressed by the legislatures : Whereas explanation (a) involves three specific situations viz., (i) to drive the woman to commit suicide or (ii) to cause grave injury or (iii) danger to life, limb or health, both mental and physical, and thus involving a physical torture or atrocity, in explanation (b) there is absence of physical injury but the legislature thought it fit to include only coercive harassment which obviously as the legislative intent expressed in equally heinous to match the physical injury : whereas one is patent, the other one is latent but equally serious in terms of the provisions of the statute since the same would also embrace the attributes of ‘cruelty’ in terms of Section 498-A.” [emphasis added]

Similar views are echoed in **Gurnaib Singh v. State of Punjab** (2013) 7 SCC 108; **In State of Andhra Pradesh v. M. Madhusudhan Rao** (2008) 15 SCC 582; **Bhaskar Lal Sharma v. Monica** (2009) 10 SCC 604, **K. Subba Rao v. The State of Telangana** (2018) 14 SCC 452.

ANALYSIS OF EVIDENCE ON THE POINT OF CHARGE OF 498-A OF THE IPC.

17. On careful analysis of evidence of **PW2** Pralhad, father of deceased, **PW3** Zumberbai, mother of deceased, **PW5** Anita, sister of deceased and **PW6** Sandulal, brother-in-law of PW2 Pralhad, they are found to be deposing about accused demanding money for purchase of a plot, money for construction of house over it and for purchase of a Motorcycle. They further speak that there was ill-treatment on account of its non-fulfillment and deceased reporting about it whenever she visited maternal home for festivals. However, it is pertinent to note that none of them have spoken as to what is the quantum of money demanded by accused for above alleged purchase of plot, estimate for construction and price of motorcycle.

18. **PW2** Pralhad, father of deceased, informant is found to be deposing that when they had been to house of accused no.1, at that time, accused no.1 took PW6 outside of house, showed him a plot having a basement and told PW6 to pass message to this witness that he should purchase said plot for him, construct a house over it and also to give him a Motorcycle. PW2 Pralhad informant speaks that while they were returning to house, PW6 disclosed about the above

demand to him. He further stated that when said demand was made, he was present in front of house of accused. He further deposed that he straightway told accused that he was not in a position to meet the said demand. He further stated that when his wife went to attend a function at Bokud Jalgaon, at that time, his daughter also come there and she had told about demand of money for purchase of a Motorcycle and a plot and construction over plot and on such count there was ill-treatment. Therefore, evidence of PW2 Pralhad, father of deceased, is apparently general and omnibus in nature. As stated above, he is not specific about nature of ill-treatment and exactly when victim was ill-treated. As regards to demand put by accused husband is concerned, it is not directly to him, but is to his brother-in-law from whom he seems to have heard. In the opinion of this Court, it is hearsay information as regards to he is concerned.

On visiting his **cross-examination**, it is emerging that omissions are brought on record that, his daughter had been for Nagpanchami festival and at that time, she disclosed about ill-treatment on account of demand. That he had not reported in FIR about he going alongwith PW6 Sandulal to house of accused and accused informing PW6 Sandulal about a plot and asking him to inform this witness to purchase it and to give it to him and to further carryout construction

over the said plot.

19. Evidence of **PW3** Zumberbai, mother of deceased, though is consistent about demand of amount being made for purchasing a plot and a Motorcycle, her evidence is also silent about demand of money to carryout construction over plot and to pay for the same. She has stated about in-laws taking away Mangalsutra of deceased and not returning it. However, informant is silent on this count.

20. **PW5** Anita, sister of deceased, merely speaks about meeting deceased sister on three occasions. She has deposed about beating by accused, which is not stated by even parents of deceased.

Even her **cross-examination** shows that there are material omissions and contradictions.

21. **PW6** Sandulal Gaikwad, who is brother-in-law of informant PW1 Pralhad, is found to be deposing that accused husband pointed to a plot and said that he was intending to purchase it and further said that he himself has some amount and they should also contribute towards it and he accordingly passed information to PW1. However, when was the visit paid by him and informant is neither stated by informant nor by this witness. Both are also found to be

silent about quantum of demand made by accused.

As stated above, what was the nature of ill-treatment and when exactly or by approximation atleast such instances took place is not clarified by them in their testimonies. Resultantly, in the considered opinion of this Court as regards offence under Section 498-A is concerned, there are general, bald and omnibus allegations.

Second charge is of Section 306 of the IPC i.e. abetment to commit suicide :

22. To prove such charge, it is essential and incumbent upon prosecution to demonstrate and substantiate by showing existence of following :

- “(1) There was suicide of a person;
- (2) It was committed in consequence of abetment of the accused.”

Further, as to what amounts to abetment is also settled and same is as under :

“107. Abetment of a thing- A person abets the doing of a thing, who -

Firstly. - Instigates any person to do that thing; or

Secondly. - Engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that thing; or

Thirdly.-Intentionally aids, by any act or illegal omission, the doing of that thing.

Judicial Precedent and Legal Position :

23. In order to attract the charge of Section 306 of IPC, it is incumbent upon prosecution to establish **incitement, instigation, aiding or abetment to commit suicide**. Law to this extent has been fairly settled in series of cases. Scope of Sections 107 and 306 IPC has been time and again decided by the Hon'ble Apex Court in the cases viz; *State of West Bengal v. Orilal Jaiswal* (1994) 1 SCC 73; *Ramesh Kumar v. State of Chhatisgarh* reported in (2001) 9 SCC 618; *Sanju @ Sanjay Singh Sengar v. State of M.P* reported in (2002) 5 SCC 371; *Chitresh Kumar Chopra v. State* (2009) 16 SCC 605; *Amalendu Pal alias Jhantu v. State of West Bengal* (2010) 1 SCC 707; *State of West Bengal v. Indrajit Kundu and others* (2019) 10 SCC 188; *Rajesh v. State of Haryana* (2020) 15 SCC 359; *VP.Singh etc. v. State of Punjab and others* 2022 SCC Online SC 1999 and very recently in the case of *Kumar @ Shiva Kumar v. State of Karnataka* [Criminal Appeal No. 1427 of 2011 decided on 01.03.2024].

In above series of cases, it has been held and reiterated that court should be extremely careful in assessing the facts and circumstances of each case as well as the evidence adduced in the trial for the purpose of finding whether the cruelty meted out to the

victim had in fact induced her to end her life by committing suicide. Principle that is culled out is that accused person should specifically intends that deceased should end up her life. With that sole object in mind, they must have deliberately created circumstances, which are of such nature, that deceased is left with no other alternative but to end up her life. Only in such circumstances charge of abetment to commit suicide can be said to be successfully brought home.

ANALYSIS OF EVIDENCE ON THE POINT OF CHARGE OF SECTION 306 OF THE IPC :

24. Keeping above legal position and requirements in mind, evidence of case in hand is navigated and studied.

PW1 Dr.Rathod, Autopsy Doctor opined that death of Sunita was due to drowning.

Evidence of father informant **PW2** Pralhad on re-appreciation shows that marriage is of 28-04-1998. According to him, after 2-3 months, there was ill-treatment on account of non-fulfillment of demand of money for purchase of plot, construction over it and to purchase a Motorcycle. According to him, victim reported ill-treatment when she came for Diwali festival of the year 1998. He further deposed that after Diwali festival, accused no.4 had come to

fetch deceased and he sent her. Therefore, exactly on which date, deceased left informant's house to go back to the house of accused has not come in his evidence. He directly speaks of receiving message about death by drowning in the night on 09-01-1999.

PW3 Zumberbai, mother of deceased also speaks about hearing from daughter when she came for festivals about demand and ill-treatment after two month's of marriage. It is her testimony that she last met her daughter at Paithan Khea in a 10th day rituals on account of demise of relative of accused. Thereafter, they received news of death. Consequently, even she is not specific as to when she last met her daughter.

Likewise, neither sister PW5 Anita nor PW6 Sandulal, brother-in-law of PW1 are categorical as to when deceased last met them. Apparently, marriage has taken place in April 1998. Drowning incident allegedly took place on 09-01-1999. Deceased met witnesses at the time of Diwali of 1998. This should be around October of November, 1998 as generally Diwali festival falls in such months. Taking the same into account, what prompted deceased to jump in well and commit suicide, which is precisely indictment, is not established by prosecution. There is no material showing that in proximity to 09-01-1999 there was cruelty or harassment at the

hands of accused with sole intention that Sunita should commit suicide. How they abetted suicide is not demonstrated by prosecution by leading any nature of evidence. To hold appellant guilty for offence under Section 306 of the IPC, in view of above spelt out legal position, it is imperative for prosecution to establish that appellant abetted her to commit suicide by jumping into well. But there is no evidence in this direction.

25. On the contrary, prosecution's own witness **PW4** Nandu, who is examined at exh.33 and whose testimony is already discussed in aforesaid paragraph, goes to show that on 09-01-1999, when he returned from school at around 12:30 noon, deceased requested him to accompany her for plucking fruits. This boy deposed that he, one Vilas and deceased together took meals in the field, thereafter, they all went towards fruit tree to eat fruits i.e. Ber (Indian Jujube), which was at a distance of 10-15 feet from well, deceased was seen going towards it and after some time, deceased was not found and was searched but found having fallen in the well. By the time his uncle Manohar was summoned, deceased had drowned.

The above testimony of PW4 Nandu, goes to show that victim had asked this witness to accompany her for plucking fruit in the

field. The boy does not speak about any conversation between him or deceased or she to be upset or gloomed. On the contrary, his evidence shows that deceased requested him to accompany her to pluck the fruits. Had deceased decided to jump in well and committed suicide, she would not have taken this witness to field. Whether she jumped or accidentally fell is not clear. Witnesses like Manohar or even mother and grandmother of PW4 Nandu, who were said to be around are not examined. When there is apparently nothing on record to show that on 09-01-1999, there were some instances involving appellant in subjecting deceased to cruelty or they abetting her to commit suicide, charge of Section 306 of the IPC cannot be applied against accused. There is nothing to connect appellant with alleged drowning of Sunita. Hence, even said charge fails for want of cogent, reliable evidence or circumstance.

Third charge is of Section 304-B of the IPC :

26. Essential ingredients for attracting offence under Section 304-B of the IPC are as under :

Section 304-B. Dowry death :

- “(1) Death should be caused by burns or bodily injury or otherwise than under normal circumstances.*
- “(2) Such death should have occurred otherwise than under normal circumstances within seven years*

- of her marriage.*
- (3) *She must have been subjected to cruelty or harassment by her husband or any relative of her husband.*
 - (4) *Such cruelty or harassment should be for or in connection with demand of dowry.*
 - (5) *The deceased was subjected to cruelty or harassment for dowry soon before her death.*
 - (6) *Soon before her death the woman was subjected to cruelty or harassment by her husband or any other relative of her husband in connection with any demand for dowry.”*

27. As regards to offence under Section 304-B is concerned, it is expected of prosecution to establish, that, immediately prior to the incident of drowning or in proximity to it, there was cruelty, ill-treatment, harassment at the hands of accused resulting into meeting unnatural death.

Again in the light of above requirements, one has to fall back on the evidence of PW2, PW3 parents, PW5 sister, PW6 brother-in-law and more importantly PW4. Admittedly, PW2, PW3 parents and sister are residents of Ranjangaon Shenpunji, Tq.Gangapur and PW6 brother-in-law is resident of Jaisinghpura, Aurangabad. Deceased was found floating in the well water in field of Vithal Tukaram Doke at Bidkin. What exactly transpired on the intervening night of 08-01-1999 and 09-01-1999, and from morning of 09-01-1999 till 12:00 noon, has not come on record. Parents and relatives have directly received news about death. Unless there is

material to connect appellant in alleged drowning of Sunita, it is unsafe to relate the incident of drowning to appellant husband. PW4 Nandu, immediate neighbour merely deposed about accused persons to be residing by the side of his house. He does not speak about seeing appellant husband in company of deceased before he and deceased, on her request, went to the field. Learned trial Court has on same set of evidence already acquitted remaining accused from above charge. Therefore, question arises that in absence of anything to connect husband also with alleged drowning, how at all he could be held guilty for commission of offence under Section 304-B of the IPC. As stated above, to attract said charge, there has to be evidence that soon before unnatural death of Sunita, she was subjected to maltreatment in connection with demand of dowry. Such evidence is patently missing in the case in hand. There is nothing to show that till noon time of 09-01-1999 appellant and deceased to be in company of each other so as to connect him with the incident.

28. Learned APP pointed out that deceased had suffered injuries and the same were noticed and noted by PW1 Dr.Rathod, Autopsy Doctor. However, it is pertinent to note that in substantive evidence in paragraph 3, PW1 Dr.Rathod, Autopsy Doctor deposed that on

external examination, he noticed 14 injuries but same were post mortem injuries. This further knocks the prosecution version at the bottom itself. When drowning is not proved to be only and only suicidal and not otherwise, and taking into account above discussed evidence, in the considered opinion of this Court, charge of Section 304-B of the IPC also would not be attracted.

SUMMATION

29. To sum up, here prosecution evidence firstly is weak, infirm and fragile on the point of cruelty. Secondly, prosecution failed to prove that accused husband abetted suicide by jumping in well. Infact prosecution has not been successful in establishing that Sunita did not fall accidentally but she jumped in well to commit suicide. Further prosecution also failed to substantiate that soon before drowning, accused husband subjected her to mal-treatment which was of such nature that she was forced to commit suicide. Consequently, finding total absence of essential ingredients in the prosecution evidence, conviction so recorded of sole appellant husband under aforesaid Sections is required to be set aside. Appellant succeeds. Accordingly, I proceed to pass following order :

ORDER

- I) Criminal Appeal No.134 of 2003 stands allowed.
- II) The conviction awarded to appellant - Raju s/o. Damodhar Bhujang in Sessions Case No.235 of 2000 by the learned II Additional Sessions Judge, Aurangabad on 31-01-2003 for the offence punishable under Sections 498-A, 306 and 304-B of the Indian Penal Code, stands quashed and set aside.
- III) The appellant stands acquitted of the offence punishable under Sections 498-A, 306 and 304-B of the Indian Penal Code.
- IV) The appellant be set at liberty, if not required in any other case.
- V) The fine amount deposited, if any, be refunded to the appellant after the statutory period.
- VI) It is clarified that there is no change as regards the order in respect of disposal of muddemal.

(**ABHAY S. WAGHWASE**)
JUDGE