

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL REVISION APPLICATION NO.459 OF 2003**

SATISH  
RAMCHANDRA  
SANGAR

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SATISH RAMCHANDRA  
SANGAR

Date: 2024.07.26  
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**Mohan Nana Chavan**

Age : 35 Years, Occupation : Driver,

R/o. : Atpadi, District : Sangli.

...Applicant

Versus

**The State of Maharashtra**

...Respondent

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|--------------------------------------------------------------------|---------------------------|
| Mr.Sudatta Patil a/w Mr.Prashant<br>Bandgar and Mr.Prajoy Kutkar:- | Advocates for Applicant.  |
| Mr.H.J.Dedhia:-                                                    | APP for Respondent–State. |

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**CORAM : S. M. MODAK, J.**

**DATE : 22<sup>nd</sup> JULY 2024**

**P. C. :-**

1. Heard learned Advocate for the Applicant. He produced following documents:-

- (a) Copy of Award dated 30<sup>th</sup> July 2005 drawn by the Member – MACT – Sangli wherein, compensation of Rs.1,54,500/- (Rupees One Lakh Fifty Four Thousand Five Hundred Only) is awarded. The present Applicant is the Respondent No.1 and the Claim Petition was filed by Bhaskar Madhav Mote as a legal representative of the deceased Babalu @

Santosh Mote.

- (b) A copy of extract from the Register of deposit of payment issued by the District Court – Sangli.

2. The Applicant is convicted for the offences under Sections 279, 304-A of Indian Penal Code, 1860 (“IPC”). Both these Sections prescribe punishment of imprisonment or fine, with both. As per order passed on 20<sup>th</sup> June 2024, I have concluded that there is no merit in the revision and revision is kept for hearing the parties on the point of sentence. Considering the age of the Applicant, I am not inclined to send him to jail. But, wants to direct him to pay compensation of Rs.1,00,000/- (Rupees One Lakh Only) to be paid to the representative of the deceased. Hence, following order:-

### **ORDER**

- (i) The Revision Application is partly allowed.
- (ii) The order of conviction dated 13<sup>th</sup> January 2000 passed by the Court of JMFC – Atpadi in Summary Criminal Case No.240 of 1997 for the offences under Sections 279 and 304-A of IPC and confirmed by the Court of Additional Sessions Judge – Sangli vide order dated 17<sup>th</sup> September 2003 in Criminal Appeal No.3 of 2000 for the offence punishable under Section 304-A of IPC is confirmed with following modification:-

- (a) The Applicant is sentenced to the period already undergone and with a compensation of Rs.1,00,000/- (Rupees One Lakh Only) to be paid within eight (8) weeks from today.
  - (b) Once the amount is deposited before the Court of JMFC – Atpadi, it be paid to the legal representative of the deceased Babalu @ Santosh Mote.
  - (c) The trial Court to ascertain who are the legal representatives and after producing the necessary documents, disburse that amount to them.
3. In view of the above, **Revision Application stands disposed of.**

[S. M. MODAK, J.]