

Digitally
signed by
GANESH
SUBHASH
LOKHANDE
Date:
2024.09.10
19:21:48
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION NO. 164 OF 2016

Dilip Ravji Jadhav

...Applicant

vs.

Moodsar Nijamuddin Kazi and Anr.

...Respondents

None	Advocate for the Applicant
Ms. Ridhima Mangaonkar, i/b. Vivek Pandey	for the Respondent No.1
Ms. S. E. Phad, APP	for the Respondent No.2-State.

CORAM : S. M. MODAK, J.

DATE : 6th SEPTEMBER 2024

P. C. :-

1. The Applicant, convicted accused has died. It is informed to this Court by the Complainant-Respondent No.1. When the Interim Application for withdrawal of the amount is moved, the withdrawal is allowed. At that time, this Revision was not listed. Today it is listed.

2. On 15th March 2016, the revision is admitted. On the same day, the sentence was suspended subject to deposit of Rs.2,00,000/-[Rupees Two Lakh]. It is deposited and also withdrawn. The Trial

Magistrate has sentenced the accused for five months with rigorous imprisonment and compensation of Rs.4,50,000/- [Rupees Four Lakh Fifty Thousand], page No. 25. Whereas, the Appellate Court has maintained the conviction and sentence.

3. No one has come forward on behalf of the Applicant to prosecute this Revision. This is pending since 2016. It is true that the legality of the conviction has to be tested by this Court but considering the facts and circumstances, I am dismissing the revision.

4. The Revision Application is dismissed.

5. The Complainant is at liberty to take appropriate steps for recovery of the remaining amount. If the legal representative of the Applicant wants to prosecute this revision, they can do so by taking appropriate steps.

[S. M. MODAK, J.]