



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.1046 OF 2024
IN
CRIMINAL APPEAL NO.570 OF 2023

Punam Sureshrao Aundhakar

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Gadgenagar, District Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Anil Mardikar, Senior Counsel h/f Mr. Y. P. Bhelande, Counsel for the
applicant.

Mr. S. V. Narale, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/10/2024

1. By this application, the appellant in Appeal No.570/2023 seeking early hearing by fixed dated.
2. Heard learned Senior Counsel for the appellant who submitted that the appellant was prosecuted for the offence punishable under Sections 353, 323, 504 and 506 of the Indian Penal Code. The material allegation was against the co-accused and the present appellant was convicted for the offence punishable under Section 186 of Indian Penal Code and sentenced to suffer simple imprisonment for three months. She is serving as Agriculture Officer and now there is a vacant post of Krishi Adhikari and her promotion is due. She is the only candidate from the NT category for which the post is

reserved. Due to this conviction, she would lose her opportunity of promotion and therefore, the appeal be listed with precedence.

3. Learned APP opposed the application on the ground that considering the old pendency before this Court, the application deserves to be rejected.

4. After hearing the learned Senior Counsel for the applicant and learned APP for the State, perused the impugned judgment from which it reveals that the appellant Punam Suresh Aundhakar is convicted under Section 186 of the Indian Penal Code and sentenced to suffer simple imprisonment of three months.

5. Considering the submissions made by the learned Senior Counsel for the appellant, she would lose an opportunity for the petty conviction and considering the reasons, the application is allowed.

6. Record and proceeding is already received.

7. Learned Senior Counsel is permitted to place on record the private paper book.

8. The appeal be listed for final disposal on 14.11.2024.

(URMILA JOSHI-PHALKE, J.)