

S.T. No.91/2022

State Vs. Motiram Chavhan

Below Exh.1

JUDGMENT ON ADMISSION

(Delivered on 11th September, 2025)

1] In the instant matter, today, the accused appeared before me. The charge against the accused came to be framed at Exh.10 before my predecessor where he pleaded not guilty, however, today the accused filed an application for recording his plea of guilty. The accused is represented by his advocate Shri Meman. I inquired with the accused and verified his voluntariness. Accused submitted that he wants to live his peaceful life now and he is genuinely pleading his guilt.

2] Upon careful inquiry, I am satisfied that plea is voluntary and genuine. Accordingly, the accused is required to be convicted for the offence punishable u/s. 307 of Indian Penal Code, 1860 based on his plea of guilty.

3] The matter is now listed for hearing on the quantum of sentence u/s.235(2) of the Cr.P.C. The learned counsel for the accused submitted that the victim is the wife of accused, she has filed a compromise pursis today in the Court mentioning that she has no grievance against the accused now so, the accused be acquitted. The compromise pursis Exh.16 shows that the brother

of the accused now has driven her out of the house, the victim is now leading a destitute life with her children. She also contended that the accused is in jail since last more than 3½ years so by giving set off of the said period, in the sentence the accused may be released.

4] The learned APP Shri Kaleshwarkar submitted that the accused has antecedent so severe punishment be given.

5] I have gone through the record and proceeding. The allegations are that the accused caused serious injuries to his wife by a sharp weapon. The injury certificate shows that the victim had four injuries. One injury is to her left leg, second injury is to her neck at left side, third injury is to her left forearm and the fourth injury is a fracture on tibia to the left leg. The recovery period is given as six months. Though the injury to the neck and fracture are shown to be grievous, but they are now life threatening one. More so, the victim is also present in the Court today. On perusal it is found that there is even no a scar on her neck now. All the injuries had been recoverable injuries and accordingly the victim had been recovered. Further the injured is the wife of accused, she has no grievance. Both wanted to lead their life happily. So, considering all these mitigating circumstances, I hold that the accused is entitle to lenient view as prayed. Hence, I proceed to pass the following order.

ORDER

1] The accused - **Motiram Babulal Chavhan**, is hereby **convicted** for the offence punishable under Section 307 of the Indian Penal Code, 1860 vide Section 235(2) of the Code of Criminal Procedure, 1973 and is hereby **sentenced to suffer imprisonment for 3 years, and also sentenced to pay fine of Rs.20,000/-** (Twenty Thousand) only and in the case of default in the payment, thereof, to undergo further rigorous imprisonment for a term of **one month**.

2] Upon payment of fine, if deposited by the convicted accused the first amount of Rs.15,000/- (Fifteen Thousand) to be paid to the victim Jyotsna Motiram Chavhan, after the lapse of period of appeal.

3] The remaining amount of fine shall be retained by the State.

4] Seized muddemal i.e. axe be sent to District Magistrate, Yavatmal, after appeal period is over.

5] Seized muddemal being worthless be destroyed, after appeal period is over.

6] The accused Motiram Babulal Chavhan, shall be entitled to set off under section 428 of the Code of Criminal Procedure, 1973 in respect of the period of detention undergone by him.

7] The convicted accused is informed about his right to appeal.

8] Copy of the Judgment be supplied to the accused, free of costs.

Dictated and Pronounced in Open Court.

Dated : 11-09-2025.

(Smt. S. J. Ramgadiya)
Additional Sessions Judge,
Pusad, Dist. Yavatmal.

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the Stenographer	M. A. Bomble,
Name of the Court	Addl. Sessions Judge, Pusad.
Date of Dictation	11-09-2025.
Order signed by the P.O. on	11-09-2025.
Order uploaded on	12-09-2025.