

MHND100008702021



SCC.No.129/2021
Sangram Vs.Arvind and another.

Order below Exh.1

Heard learned advocate for the complainant. Perused the complaint, verification and documents. The complainant, in support his contention, has filed on record a copy of complaint dated 21/06/2021 given by him at police station, Kandhar, in respect of same incident. From record, it reveals that, on 20/06/2021, at about 2.00 pm, both the accused persons, in furtherance of their common intention, wrongfully restrained the complainant while he was ploughing in his agricultural land, voluntarily caused hurt to him by slaps and fist blows. They also abused and threatened to kill the informant.

In such situation, complainant has *prima-facie* established his case against accused for offence punishable under Section 341,323,504 and 506 r/w 34 of the Indian Penal Code. Hence, issue process against accused for offence punishable u/s 341, 323, 504, 506 r/w 34 of the Indian Penal Code on P.F..

Sd/-

Date : 08/10/2021

(Smt.R.A.A.Khateeb)
Judicial Magistrate First Class,
Kandhar.

CERTIFICATE

I affirm that the contents of this [P.D.F.](#) File judgment are same, word to word, as per the original judgment.

Name of the Stenographer	U.L.Sadhu
Name of Court	Court of JMFC Kandhar
Date of Dictation	08/10/2021
Judgment signed by the P.O.on	08/10/2021
Judgment uploaded on	08/10/2021

ORDER

- (1) The accused No.4 Govind Vasant Mali is convicted vide section 248(2) of the Code of the Criminal Procedure, for the offence punishable under section 454 r/w section 34 of the Indian Penal Code. He is sentenced to suffer rigorous imprisonment of two years and also to pay fine of Rs.2000/- (Rs.Two Thousand only), in default he shall undergo rigorous imprisonment for thirty days.
- (2) The accused No.4 Govind Vasant Mali is further convicted vide section 248(2) of the Code of the Criminal Procedure, for the offence punishable under section 457 r/w section 34 of the Indian Penal Code. He is sentenced to suffer rigorous imprisonment of two years and also to pay fine of Rs.2000/- (Rs.Two Thousand only), in default he shall undergo rigorous imprisonment for thirty days.
- (3) The accused No.4 Govind Vasant Mali is further convicted for the offence punishable under section 380 r/w section 34 of the Indian Penal Code vide section 248(2) of the Code of Criminal Procedure. He is sentenced to suffer rigorous imprisonment of two years and also to pay fine of Rs.2000/- (Rs.Two Thousand only), in default he shall undergo rigorous imprisonment for thirty days.
- (4) All the sentences shall run concurrently.
- (5) Accused No.4 Govind Vasant Mali is in jail, he is directed to serve out the remaining sentence.
- (6) Set off be given to the accused No. 4 Govind Vasant Mali for the period undergone by him in jail as per section 428 of the Code of Criminal Procedure.
- (7) The accused No.3 Onkar Mahesh Suryawanshi, accused No.5 Viraj Ganesh Karande and accused No.6 Suraj Sarjerao Dabade are acquitted for the offence punishable under section 454, 457 and 380 read with section 34 of the Indian Penal Code vide section 248 (1) of the Code of Criminal Procedure.
- (8) Accused Nos.3, 5 and 6 are in jail, hence they set at liberty forthwith in this case only.
- (9) The seized muddemal one Lava company mobile handset (IMEI No.911603301334651) be sell out in public auction after appeal period is over.
- (10) Copy of judgment be provided to accused No.4 Govind Vasant Mali free of cost forthwith.
(Judgment pronounced in open court.)

Place:-Shahuwadi.
Date : 05/11/2019

(Smt.R.A.A.Khateeb)
Judicial Magistrate First Class,
Malkapur-Shahuwadi.