

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).7510/2010

(From the judgement and order dated 14/01/2009 in CRLA No. 57/1997
of The HIGH COURT OF BOMBAY BENCH AT AURANGABAD)

BHAUSHAEB RANGNATH CHAVAN Petitioner(s)

VERSUS

STATE OF MAHARASHTRA Respondent(s)

(With appln(s) for c/delay in filing SLP,permission to file Volume
II and office report)

Date: 24/01/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Nachiketa Joshi, Adv. for
 Ms. Minakshi Vij,Adv.

For Respondent(s) Mr. Manish Pitale,Adv.
 Mr. Sanjay V. Kharde, Adv. for
 Ms. Asha G. Nair, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of signed order.

(Pardeep Kumar) (Shashi Bala Vij)
Court Master Court Master
[SIGNED ORDER IS PLACED ON THE FILE]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 222 OF 2011
[ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) NO. 7510 OF 2010]

BHAUSHAEB RANGNATH CHAVAN ...APPELLANT

VERSUS

STATE OF MAHARASHTRA ...RESPONDENT

O R D E R

1. Leave granted.

2. The appellant was convicted by the trial court for the offence punishable under Section 325 I.P.C. and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs. 2,000/-, in default of payment of fine, the appellant was to suffer further rigorous imprisonment for one year.

3. Against the judgment and order of the trial court, the appellant filed an appeal before the High Court.

4. The High Court vide judgment dated 14.1.2009, while affirming the judgment and order passed by the trial court, dismissed the appeal filed by the appellant. Hence, the present appeal by special leave.

5. We have heard learned counsel appearing for the parties and gone through the record.

6. Considering the nature of injuries and the fact that this was merely an agricultural dispute over the water channel

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and further considering the fact that the appellant has not previously suffered any criminal proceedings, while maintaining the conviction, we reduce the punishment of the appellant from five years to three years. Rest of the judgment is confirmed.

7 The appeal stands disposed of accordingly.

.....J.
[V.S. SIRPURKAR]

.....J.
[T.S.THAKUR]

NEW DELHI
JANUARY 24, 2011.