

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

Criminal Appeal of 2020 (LD-VC No. 13 of 2020)

Pramod Baliram Bhongre

Vs.

State of Maharashtra through P.S.O. P.S. Telhara, Tq. Telhara Dist. Akola

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

Court's or Judge's orders

Shri V.P. Bhise, Advocate for the appellant
Shri N. S. Rao, APP for the State/respondent

CORAM : M. G. GIRATKAR, J.

DATED : 30/04/2020

Heard learned Counsel Shri Bhise for the appellant and
Shri Rao, learned APP for the State/respondent.

This appeal is against the judgment of conviction for the offence punishable under Section 376(i) of the Indian Penal Code. Copies of evidence filed on record show that the victim died before commencing evidence. It appears from the evidence of her mother that appellant-accused was ready to marry with her, but victim herself was unwilling to marry with him. As per the reasons recorded by trial Court in para 22 of the judgment, the victim was major at the time of incident. Whether sexual intercourse took place with her consent or not is to be decided on merit. Hence, the conviction of appellant for the offence punishable under Section 376(i) of the Indian Penal Code is suspended during the pendency

of the appeal. Appellant-accused be released on bail on furnishing surety of Rs.25,000/- (Rupees twenty five thousand only) with personal bond of same amount before the trial Court.

Criminal Appeal of 2020

Heard.

Admit.

Issue notice to the respondent.

Shri Rao, learned APP waives notice for the respondent/State.

Call R. and P.

List this matter after receipt of R. and P.

JUDGE