

Case Presented on : 02/04/2009
Case registered on : 02/04/2009
Decided on : 10/09/2018
Duration : Y – M – Days.
09 – 05 – 08

In the Court of Judicial Magistrate, First Class (Court No.5)

Dhule.

(Presided over by Smt. Shruti N. Gangwal- Shah)

Regular Criminal Case No.310/2009

Exh.No. 142

State of Maharashtra
Through Police Station Officer,
Police Station, Dhule(City).

... **Prosecution**

.. V/s ..

- 1] Rajesh Laxman Kedar,
Age - 43 years, Occ.: Service,
- 2] Laxman Rakhamaji Kedar,
Age - 68 years, Occ.: Pensioner,
No. 1,2 R/o – Pant Nagar,
Samarthkrupa Society, A wing,
Room No. 304, Third floor,
Ghatkopar (E), Mumbai – 75,
- 3] Mangesh Laxman Kedar
(abated by order dated 06-08-2016)
- 4] Shashikalabai Laxman Kedar,
Age – 65 years, Occ.: Household Work,
R/o – Pant Nagar,
Samarthkrupa Society, A wing,
Room No. 304, Third floor,
Ghatkopar (E), Mumbai – 75,
- 5] Sangeeta Chandrakant Jagtap
Age – 39 years, Occ.: Household Work,

6] Chandrakant Anna Jagtap
Age – 43 years, Occ.: Business,
No. 5 & 6 R/at – Chalisgaon Road,
Mirajkar Nagar, Dhule

... Accused

Charge: Offence punishable under Section 498-A, 406, 323, 504, 506 read with section 34 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

=====

Shri. A.S. Pathan, A.P.P. for the State,
Shri.V.P. Tawar, Advocate for all accused persons

=====

ORAL JUDGMENT

(Delivered on this 10th day of September, 2018)

Accused persons are facing trial for the offence punishable under Sections 498-A, 406, 323, 504, 506 r/w Section 34 of the Indian Penal Code. (hereinafter will be called as 'I.P.C.' for brevity) and sections 3 & 4 of the Dowry Prohibition Act.

2] The prosecution story in nutshell as follows:

Informant Humeshwari Rajesh Kedar married with accused No. 1 on 21.11.2003. Accused Nos. 2 and 4 are her in laws, accused no.3 is her brother- in- law, accused no.5 is her sister- in-law and accused no 6 is husband of accused no.5 Accused persons treated informant nicely for first 4-5 days. Afterwards accused nos. 1 to 6 started abusing her and threatening her on reason of her bringing insufficient dowry and not bringing gift articles. Afterwards they started demanding Rs. 1,00,000/- from her parents for the service of accused no. 3-Mangesh. On her inability to fulfill the said demand accused persons started torturing her mentally and physically by beating her, abusing her. She has written letters to her father about the said ill treatment. The relatives of the informant

tried to persuade accused persons. Her relatives had given accused persons Computer, Mobile, Printer and also provided some money on their demand. However, the cupidity and demand of amount was continued. On the count of their unsatisfied demands they started keeping her starving.

3] On 11.02.2009 at about 06.00 p.m. accused persons beaten informant and drove her out of the house with her 11 months daughter Juhi. They also snatched the jewelry on her person. Thereafter, she lodged complaint against the accused persons in Dhule City Police Station. Accordingly, crime no. 35/2009 for offences punishable under sections 498-A, 406, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860 was lodged against accused persons. Investigating officer P.H.C. Shri. H.D. Zimbal has investigated the crime, recorded statements of witnesses and on completion of investigation submitted final report against accused persons.

4] My learned predecessor had framed Charge at Exh.08 for Sections 498-A, 406, 504, 506 read with section 34 of the I.P.C. and sections 3 & 4 of the Dowry Prohibition Act. Accused persons pleaded not guilty and claimed to be tried. During pendency of the matter, accused Mangesh died. Hence, proceeding stood abated against him.

5] During their statements under Section 313(1)(b) of the Code of Criminal Procedure (Exh. 130 to 134), accused persons flatly denied all the allegations leveled against them.

6] On giving my anxious consideration to the arguments advanced by both sides, following points for determination, arose to my mind. I have recorded my findings to them, for the reasons

supporting as mentioned there under:

Sr. No.	Points	Findings
1]	Whether the prosecution proves that the accused persons in furtherance of their common intention subjected informant Humeshwari with physical and mental cruelty to fulfill their unlawful demand of Rs.1,00,000 ?	<u>Yes to the extent of accused no.1.</u>
2]	Whether the prosecution proves that the accused persons in furtherance of their common intention committed criminal breach of trust by taking jewelery and ornaments of the informant ?	<u>Yes to the extent of accused no.1</u>
3)	Whether the prosecution proves that the accused persons in furtherance of their common intention intentionally insulted the informant and thereby gave provocation to her or knowing it to be likely that such provocation will cause her to break public peace ?	<u>No</u>
4)	Whether the prosecution proves that the accused persons in furtherance of their common intention committed criminal intimidation by threatening the informant with injury to her person and her relatives with intent to cause alarm to them ?	<u>No</u>
5)	Whether the prosecution proves that the accused persons in furtherance of their common intention demanded Rs.1,00,000/- as a dowry ?	<u>No</u>
6]	What order ?	<u>Accused no.1 is convicted</u>

REASONS

7] I have gone through the record and heard learned advocates of both the parties. Assistant Public Prosecutor Shri A.S.Pathan has argued that informant and other witnesses have corroborated the prosecution story. Prosecution has linked the said offence with accused persons and has proved the guilt of accused persons without any reasonable doubt.

8] On the contrary, learned advocate for accused persons argued that financial condition of accused persons is sound in comparison of economic condition of parents of informant. She was not willing to cohabit with accused no. 1 and hence filed divorce application in the Court. No independent witness has been examined by prosecution. There is delay in filing F.I.R. There are many omissions and contradictions in the evidence of prosecution. Hence, accused persons need to be acquitted.

9] To nail down the guilt of accused, prosecution has examined in all six witnesses. They are:

- i) PW1 Humeshwari Rajesh Kedar (informant) at Exh.40;
- ii) PW2 Dinkar Mahadu Kadam (Informant's father) at Exh.53;
- iii) PW3 Harshal Dinkar Kadam (Informant's Brother) at Exh.72;
- iv) PW4 Pankaj @ Dipijay Dinkar Kadam (Informant's Brother) at Exh.90;
- v) PW5 Pandit Mahadu Kadam (Informant's Uncle) at Exh.101;
- vi) PW6 Chintaman Bandu Mahanar (Police Station Officer) at Exh.118;

Accused persons had preferred not to adduce any evidence.

As to Point No.1:-

10] The above named Informant (P.W.1) testified below Exh.40 and supported prosecution story. She has stated about her relation

with accused persons, her going at her matrimonial house for cohabitation, the unlawful demand of Rs.1,00,000/- by accused persons from informant for job of accused no.3-Mangesh. Mental and physical torture by accused persons on the ground of her bringing insufficient dowry and gift articles in her marriage, abusing her, beating her, keeping her starving, her writing letters to her parents regarding the torture by accused persons for unlawful demand of money. She further stated that, to meet the demands of accused persons, her parents and relatives provided mobile, computer, printer and some amount to them but their greed never satisfied.

11] On 11-02-2009 accused persons drove her and her 11 months girl out of the house as well as snatched all the jewelery and ornaments from her person. They denied to give custody of her son to her. She waited on the railway station for the whole night and went to meet her son at his school at Ghatkopar in the morning but her mother-in-law and husband had not allowed her to meet her son and abused and threatened her again. Therefore, she came back at her maternal home. Her torture and ill-treatment by accused persons is corroborated with some innocuous variance by her Report at Exh41, her letters to her parents at Exh.45, 46 & 47 and by her relatives, i.e. Dinkar (P.W.2), Harshal(P.W.3), Pankaj (P.W.4), Pandit (P.W.5). The fulfillment of unlawful demand of money and articles by informant and her relatives is proved by ocular and documentary evidence, i.e. evidence of informant (P.W.1) and her relatives and vide documents i.e. school fee receipt of son Dev at Exh.44, mobile bill at Exh.73, bank receipt at Exh. 74, Computer Bill at Exh.91, Printer Bill at Exh.92, DVD writer Bill at Exh.93, Bank slip

of Demand Draft at Exh.102.

12] In the cross examination informant and witnesses only admitted that, financial condition of informant's parents is not sound as compared to condition of accused persons. Having sound economic condition cannot be a shield to show that rich people cannot torture a married woman for unlawful demand of money and valuable things.

13] It is the defence of accused persons that there are contradictions and omissions in the evidence of witnesses. Whatever these witnesses have stated is on the information gathered from the informant. It is very natural considering the nature of the charge. In the circumstances, the evidence of the informant is pivotal and the evidence of relative witnesses which has corroborative value always revolves around her evidence. Hence, evidence of such relative witnesses cannot be discarded by branding them as hearsay. Aftermath I have no hesitation to conclude that there is reliable corroboration from these so called interested witnesses.

14] Learned advocate for accused persons urged that no independent witness is examined by prosecution and the investigation officer is also not examined. The offence of cruelty generally occurs within the four boundaries of the house. Under these circumstances, non examination of any independent witness can certainly be spared.

15] To reply on the point of non-examination of investigating officer, learned APP has filed case law of Hon'ble Supreme Court i.e. **Behari Prasad V/. State of Bihar 1996 DGLS (SC) 52**. It is held by Hon'ble Apex Court that -

Non examination of investigating Officer will not vitiate criminal prosecution. Though the entire case diary should not have been allowed to be executed, involvement of the accused in committing murder was clearly established. The evidence was in conformity with the case made out in FIR and also with medical evidence. Therefore, for non examination of investigating officer, the prosecution case would not fail. A case of prejudice likely to be suffered by the accused, must depend on facts and circumstances of the case.

In the case in hand, evidence of Informant and other witnesses remained unshattered. No material omission or contradictions are surfaced from the mouth of the witnesses. Under such circumstances, in my view no prejudice has entailed to the accused by non examination of the investigating officer.

16] It is also defence of accused persons through cross examination of informant that there is delay in lodging FIR. Learned advocate for accused persons has filed one case law, i.e.

Khemraj Hiralal Agarwal V/s. State of Maharashtra 1995 Cri. L.J. 2271

Unexplained delay in lodging FIR – Charge under Ss. 498A and 306 IPC – No documentary evidence with regard to demand of money by accused nor any documentary evidence with regard to ill-treatment of deceased.

17] To answer this contention of accused persons, learned APP filed following case law

Rajendra Manikchand Badar (D) thr. Lrs. V/s. State of Maharashtra 2017 All MR (Cri) 2895 –

Delay in lodging FIR- Offence of mischief by fire to house – complainant deposed that he could not lodge complaint immediately after the incident as to incident occurred during odd hours as well as due to fear of accused. He went to police station next morning and lodged the complaint at 8:30 a.m. Thus delay sufficiently explain. Condonation of delay held, proper.

In the case in hand, informant was ousted from her matrimonial house on 11-02-2009 and she has lodged complaint on 14-02-2009. But she has mentioned in her evidence that, after accused persons had ousted her, she went to railway station and waited their for whole night, in the morning, she went at her elder son's school to meet him but as her husband and her mother- in- law had prevented her from meeting her son she came back at her parent's house. Her matrimonial house is at Mumbai and her maternal house is at Dhule, she has lodged report against accused persons at Dhule City Police Station. In view of all the above explanation, in my opinion delay is satisfactorily explained by informant.

18] It is the contention of accused persons that no specific dates of alleged ill-treatment has been given by informant or any of her relative. They have filed a case laws to substantiate their contention. It is,

Ganpat Singh and others V/s. State of Rajasthan 2002 Cri. L.J. 2246 -

Ss. 498-A, 304-B – Cruelty- Dowry death- No dates, year or month of any such beating disclosed- No particular incident of beating narrated- Failure on part of investigating officer to examine persons of neighbourhood. Offence under S. 498 not made out.

With due respect to Hon'ble High Court, in the present case in hand, the alleged ill-treatment was occurred to informant till year 2009 and witnesses deposed during the trial in year 2013 to 2017, it would be too pedantic to state the exact dates. Hence, in my opinion, non disclosure of such dates would not be that material in the peculiar circumstances of the case as witnesses have correctly mentioned all the incidents of physical and mental cruelty. As well as in respect of the earlier discussion, offences under Section 498-A occurs within four corners of the house, hence it is not expected from any neighbour to narrate the ill treatment suffered by informant by her husband and in laws. . And if for the sake of argument we accept that, her neighbours knew about the ill treatment to her by her husband and in laws, but a prudent man can conclude that a neighbor will not come and give evidence against his neighbors for the lady who is not living with his neighbour from years together.

19] Learned Advocate for accused persons also argued that, whatever witnesses have deposed will not amount to cruelty.

1) Ravindra Pyarelal Bidlan and others V/s. State of Maharashtra 1993 Cri. L.J. 3019 –

S. 498-A Explanation (b)- Harassment – Mere harassment or mere demand for property etc. is not 'cruelty'. Sub-clause (b) of Explanation to S. 498A does not make each and every harassment cruelty. The harassment has to be with a definite object, namely to coerce the woman or any person related to her to meet any unlawful demand. Hence, mere harassment by itself is not cruelty. Mere demand for property etc. by itself is also not cruelty.

2) **Sunkara Suri Babu V/s. State of Andhra Pradesh 1996 Cri. L.J. 1480 –**

S. 498-A – Suicide- No specific evidence of cruelty or harassment with demand of money- Accused acquitted giving benefit of doubt.

With due respect to Hon'ble High Court, the above mentioned case laws are not applicable to the case in hand. In present case, informant and her witnesses have specifically deposed about the physical and mental torture as well as unlawful demand of money by accused persons and furthermore her torture on non fulfilling the unlawful demands by accused persons with corroboration. Not a single witness has deposed contrary to prosecution story regarding it. Hence, it constrains me to believe the version of informant and her witnesses.

20] It is also the defence of accused persons that, she herself has left company of accused no.1. She has filed divorce petition in the Court. The informant also accepted the contention of divorce in her cross examination. But while considering the situation in the Indian culture, when a marriage was performed with zeal and enthusiasm and a bride had left her parental house, it would be

difficult to believe that she would leave company of her husband without any reason. Even in today's so-called modern society, the return of daughter from matrimonial house is treated as a stigma. Considering these general factors, whenever the allegations of cruelty are made, the conduct of the parties, motive intention and other circumstances of the case etc. always need to be kept in mind because, what amounts to cruelty is nowhere defined. It needs to be decided considering the facts of each and every case differently. However, once the unlawful demands are proved, it materially strengthens the prosecution story. Merely by saying that the informant left company of her husband on her own would not give probability to the defence of husband. He has to offer some plausible explanation on this point. Moreover, when it has emerged on record that even after parting ways with accused no.1, the informant from last 9 years or so is still residing at her parental house. There appears no other reason for her to leave her matrimonial life only because she doesn't want to cohabit with accused no.1. It is pertinent to note that her elder son was with accused persons and one daughter is with her at the time she left her matrimonial house. Having regard to the Indian culture again a mother cannot leave her son without any strong reason. Only filing petition for divorce in the court will not mean that she was not ill-treated by accused persons. Therefore, in my view, additional onus lies on the shoulder of the husband who is accountable to certain extent when his wife leaves his company by contending alleged ill-treatment.

21] The allegations of assault and ill-treatment pertaining to accused no.1,2,4,5 and 6 are generalized in form. Her sister-in-law

i.e. accused no. 5 Sangita has got married before her marriage. Accused no. 5 and 6 are residing at Dhule whereas accused no. 1 to 4 are residing at Ghakopar, Mumbai. On same analogy as applicable to a husband, in laws and sister-in-law and her husband cannot be held responsible. In such matrimonial matters it is natural tendency on the part of bride side to rope as many relatives of her husband to vent their anger about the husband. Hence, defence of accused no. 2, 4, 5, 6 of false implication appears somewhat probable as no specific role or incident quoted against them. The unlawful demand for money was regarding the job of accused No. 3 but as the case has been abated against him already, his role is also not proved. Under such circumstances, in my view accused no. 2, 4, 5 and 6 need the benefit of doubt for making such demand and causing such alleged ill-treatment. However, for aforementioned reasons and for corroborative and convincing evidence about unlawful demand of money, ill-treatment and especially ouster from the matrimonial house with 11 months child, on factual aspect, the ingredients of charged section especially of explanation (b) of section 498-A is proved against accused no.1. He has failed to give any probability to his defence.

22] Hence in the backdrop of above discussion I proceed to answer point no.1 in affirmative to the extent of accused no.1 only.

As to Point No.2:

23] As discussed earlier it is proved by informant at Exh.40 that jewelery and ornaments on her person were snatched by accused persons while droving her out of the matrimonial house. Being a husband it was the responsibility of accused no.1 to return

the Stridhana to informant. It is the argument of accused persons that for asking her jewelery back, she can file separate suit for the same.

24] To prove his point learned APP has filed one case law of Hon'ble Apex Court. Smt. **Rashmi Kumar Vs. Mahesh Kumar Bhada** decided on 18th December, 1996. It is held by Hon'ble Apex Court that,

It is thus clear that the properties gifted to her before the marriage, at the time of marriage or at the time of giving farewell or thereafter are her stridhana properties. It is her absolute property with all rights to dispose at her own pleasure. He has no control over her stridhana property. Husband may use it during the time of his distress but nonetheless he has a moral obligation to restore the same of its value to his wife. Therefore, stridhana property does not become a joint property of the wife and the husband and the husband has no title or independent dominion over the property as owner thereof.

Thus when the wife entrusts her stridhana property with the dominion over that property to her husband or any other member of the family and the husband or such other member of the family dishonestly misappropriates or converts to his own use that property or willfully suffers any other person to do so, he commits criminal breach of trust. The essential ingredients for establishing an offence of criminal breach of trust as defined in Section 405 and punishable under section 406, IPC with sentence for a period up to three years or with fine or with both, are; [i] entrusting any person with property or with any dominion over property.

25] It is pertinent to note that there is no bar of filing criminal case for embezzlement of her jewelery. It is the admitted position of law that the jewelery and ornaments wore by bride at the time if her marriage are her Stridhana. It is nowhere come on record

that accused no.1 had returned the jewelery to informant during the pendency of this case. Hence, I came to the conclusion that prosecution has proved section 406 of Indian Penal Code, which accused no.1 cannot rebut. Therefore, I answer point no. 2 in the affirmative to the extent of accused no.1.

As to Point No. 3 and 4 :

26] As the evidence and facts of both the points are interlinked, to avoid repetition, I am taking them for discussion together.

27] As already discussed, there is evidence on record about assault and threatening. No specific words were stated by informant or any of her witnesses. Despite this corroborative evidence of assault and threatening are stated neither in the evidence nor while lodging the case. Under such circumstances, in my view though such evidence is reliable to the extent of proof of cruelty, but they would fall short to prove the ingredients of intentional insult to provoke her to breach of peace and criminal intimidation. Hence, on this count, the accused are entitled benefit of doubt. Therefore, I answered point nos. 3 and 4 in the negative.

As to Point No.5:

28] As discussed earlier unlawful demand by accused no.1 for Rs.1,00,000/- and other valuable things is proved by prosecution and therefore section 498-A of IPC is also proved. But it is nowhere uttered by informant or any of her witness or in her report that said unlawful demand was for dowry. Neither it is story of prosecution that the said amount and things were promised by parents and relatives of bride for performing marriage of informant and accused

no.1 and she was tortured by accused persons as the said dowry demand was not satisfied. Dowry demand must be established before performance of marriage. Here, in the case in hand there is no such proof regarding dowry demand. Hence, I came to the conclusion that prosecution failed to prove the ingredients of Sections 4 and 5 of Dowry Prohibition Act. Therefore, accused are entitled to be released on benefit of doubt on this count only. In the backdrop of above discussion, I proceed to answer point no.5 in the negative.

As to Point No.6:

29] In view of forgoing discussion, accused no. 2, 4, 5 and 6 are entitled for acquittal from all the charges. Accused no. 1 is also entitled for acquittal from charges under section 504, 506 of Indian Penal Code and section 4 and 5 of Dowry Prohibition Act. The charged section 498-A of Indian Penal Code is proved against accused no.1 only.

30] The incidents of cruelty to wives is increasing day by day all over the country. The greed of her husband and relatives is unending and due to this many women has to suffer a lot, many times the greed of her husband and in laws is satisfied at the cost of her life. It is necessary to eradicate such tendency of unlawful demand of money and cruelty to a married woman. Hence, deterrence is must to curb such tendency of society. Therefore, I am not inclined to extend the provision of Probation of Offenders Act, 1884 to him.

Before imparting the final sentence, I stopped here to hear the accused no.1 on the point of sentence.

Sd/-

Dated: 10/09/2018

(Smt. Shruti N. Gangwal-Shah)
Judicial Magistrate First Class
(Court No.5), Dhule.

31] Learned A.P.P. argued that offence is serious one. It is matrimonial offence. To give a message to society, deterrent punishment must be given to accused. Therefore, the like minded people will be prevented from doing such act in the future. Hence, he prayed for maximum sentence as well as prayed for compensation to informant.

32] Learned Advocate for accused no.1 and accused himself in sum and substance stated that his old parents are dependent upon him. He is doing work on daily wages. He is mentally disturbed. This is first offence by him. Hence, they prayed for leniency.

33] It is pertinent to note that accused no.1 has not filed any document to show his disturbed mental condition. From the emerging evidence, it cannot be lost sight of the fact that a helpless lady who got married with the accused was treated with cruelty which must have spoiled not only her marital life, but even her personal life. She has been left alone alongwith a small girl. Her age is so young at the time of incident and considering this aspect, the alleged act on the part of the accused no.1 further aggravates. Considering these aggravated facts and the only mitigating circumstances of dependency of the family, I am only inclined to take partial lenient view while imposing the sentence of imprisonment.

34] It has not come on record that accused no.1 had provided

or had been providing any pie for the survival of the informant. It is not directly relevant with this criminal prosecution. However, in this criminal justice system, the plight of the informant cannot be overlooked. It is high time that the victim of the offences also needs to be compensated for the trauma and agony suffered by them due to the act of the accused. Considering the submission of the accused, he is doing labour work. Considering his age and his physical condition as well as the defence of sound financial condition of accused persons in cross examination it can be concluded that, he has paying capacity. There are no other contrary facts coming on record about payment by him to the informant. Under such circumstances, to meet the ends of justice, while passing final order, I find it appropriate to direct the compensation amount of Rs.50,000/- to be paid by accused no.1 to informant as per Section 357(3) of the Code of Criminal Procedure. In the particular circumstances, as I am imposing sentence of imprisonment, I do not find it expedient to grant any additional time for paying compensation amount. If the amount of compensation is paid, or recovered, it will be paid to the informant, Humeshwari Rajesh Kedar.

35] Considering age of accused no.1 and his dependency, I must strike balance while punishing him. The sentence shall neither be severe nor meager. Therefore, in my opinion, the upcoming order will be just and proper in the circumstances. I am of the considered view that following sentence would meet the ends of justice. Accordingly, I proceed to pass the following order.

Order

- 1] Accused no.1 Rajesh Laxman Kedar is convicted for the offence punishable under Section 498(A) of the Indian Penal Code, 1860 vide Section 248(2) of the Code of Criminal Procedure, 1973 and he is sentenced to suffer rigorous imprisonment for 6 months.
- 2] Accused no.1 Rajesh Laxman Kedar is convicted for the offence punishable under Section 406 of the Indian Penal Code, 1860 vide Section 248(2) of the Code of Criminal Procedure, 1973 and he is sentenced to suffer rigorous imprisonment for 6 months.
- 3] Accused no.1 Rajesh Laxman Kedar to undergo both the punishments concurrently.
- 4] Accused no.1 Rajesh Laxman Kedar is directed to pay compensation amount of Rs.50,000/- vide Section 357(3) of Code of Criminal Procedure, 1973 to informant namely Humeshwari Rajesh Kedar and in default to payment to suffer simple imprisonment for 3 (Three) months.
- 5] Bail bonds of accused no.1 are cancelled.
- 6] All the Accused persons are acquitted for the offence punishable under Section 504, 506 of the Indian Penal Code, 1860 and Section 4 and 5 of Dowry Prohibition Act, 1961 vide Section 248(1) of the Code of Criminal Procedure, 1973.
- 7] Accused no.2,4,5 and 6 are acquitted for the offence punishable under Section 498(A) & 406 of the Indian Penal Code, 1860 vide Section 248(1) of the Code of Criminal Procedure, 1973.

- 8] Accused no.2,4,5 and 6 to furnish Personal Bond of Rs.5,000 and solvent surety of like amount vide Section 437-A of the Code of Criminal Procedure,1973.
- 9] After appeal period is over, compensation amount of Rs. 50,000/-, if paid or recovered be paid to the informant namely Humeshwari Rajesh Kedar, vide Section 357 (3) of the Code of Criminal Procedure,1973.
- 10] The copy of this judgment be provided to the accused no.1 forthwith free of cost.

Dated: 10/09/2018

Sd/-
(Smt. Shruti N. Gangwal-Shah)
Judicial Magistrate, First Class
(Court No.5), Dhule.