



-/ORDER/-



The accused No 1 and 2 are hereby sentenced to undergo Rigorous Imprisonment for a period of 1 year and to pay fine of Rs 20,000/- each for the offence punishable U/s 14(1) of Child Labour (Prohibition & Regulation) Act 1986. In default to pay fine amount the accused shall undergo simple imprisonment for further period of 3 months.

**In exercise of power conferred U/s. 428 of Cr.P.C., the period already undergone by the accused No 1 and 2 shall be set off in the sentence of imprisonment.**

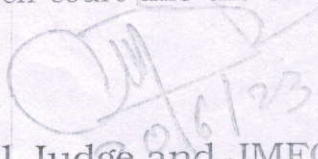
In exercise of power conferred U/s 357(1)(b) of Cr.P.C. out of the fine amount a sum of Rs.30,000/- shall be paid proportionately to Rafeeq S/o Yaqoob Nadaf and Sameer S/o Yaqoob Nadaf as compensation.

Out of the fine amount the remaining sum of Rs.10,000/- shall be defrayed as prosecution expenses and remitted to the state.



Supply the true copy of the judgment & order to the accused 1 and 2 at free of costs.

(Dictated to stenographer transcribed and typed by him on the laptop, corrected by me and then pronounced in the open court this the 30<sup>th</sup> day of June 2023)

  
Prl. Civil Judge and JMFC  
Chikodi.

**ORDERS ON APPLICATION**  
**U/SEC.389 (3) CR.P.C.**

Learned counsel for the accused No.1 filed application U/sec.389 (3) of Cr.P.C. to suspend the sentence passed against the accused No.1 & 2.

Heard & perused.

Learned counsel for the accused No.1 & 2 submitted that, the accused No.1 & 2 are willing to prefer an appeal before the Appellate Court. It is also contended that, they already paid the fine amount. It is pertinent to note that the accused No.1 & 2 sentenced to pay the fine amount of Rs.20,000/- each and imprisonment for a period of 01 year, which is a maximum punishment. Therefore, as already the accused No.1 & 2 paid the fine amount of Rs.40,000/- and the sentence passed against the accused No.1 & 2 is less than 3 years. The accused No.1 & 2 are already on bail.





The accused No.1 & 2 are intended to prefer an appeal before Appellate court. Therefore, as there are no antecedents and no any reasonable grounds to refuse the suspension of the sentence. Further the accused No.1 & 2 submitted they are ready and willing to furnish the surety to the satisfaction of the court and under taken to appear before the Court after expire of appeal period in case the appeal is not preferred. Therefore, I proceed to pass the following:

**ORDER**

The application filed by the accused No.1 & 2 U/sec. 389(3) of Cr.P.C. is hereby allowed.

In exerciser of power conferred U/sec.389(3) of Cr.P.C. the sentence of imprisonment is hereby suspended until the limitation period for appeal is over.

The accused No.1 & 2 are enlarged on bail by their executing personal bonds for Rs.50,000/- each and with one surety for the like sum.

*C 2016*  
Prl.Civil Judge & JMFC,  
Chikodi.

Surety by name Shri.Bandu Satyappa Awarade. Age: 69 years Occ: Agriculture, R/o: Ingali village, Tq: Chikodi, Dist: Belagavi is present and filed his RTC extract of land bearing Sy.No.275/11, measuring 00 acre, 25 guntas, situated at Shiraguppi village Tq: Kagawad, Dist: Belagavi and also produced





the identity card. He is ready and willing to stands as surety for the release of accused No.1 & 2 on bail. He under takes to keep present the accused No.1 & 2 as and when directed to him.

Hence his suretyship is satisfactory and accepted. Office is directed to take bonds accordingly.

Call on 31-07-2023.

Received Rs 10,000/- Fine/Penalty  
in CR No. 59564 dated 30/06/2023  
@ 30/6/2023  
No. Sheristadar

*[Handwritten Signature]*  
30/6

Prl.Civil Judge & JMFC,  
Chikodi.

Subscribed on

30-06-2023

Amount paid

of Re.30,000/-

in COED.No.20/23-24

dated 30/06/2023

at 33, and

P.O.No. 017/996

By

*[Handwritten Signature]*

