

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.313 OF 2013

Tikaram Zankar Shah ..Appellant
V/s.
The State of Maharashtra .. Respondent

Mrs.Purobi Ghosh Mohan I/by Mr.Sarojini Upadhayay appointed
Advocate by Legal Aid Committee, for appellant.
Mrs.Anamika Malhotra, APP for State.

**WITH
CRIMINAL APPEAL NO. 197 OF 2013
WITH
CRIMINAL APPLICATION NO. 584 OF 2014
IN
CRIMINAL APPEAL NO. 197 OF 2013**

Gopal S/o Virbahadur Thapa ..Applicant/Appellant
V/s.
The State of Maharashtra .. Respondent

Mr.Sanjay C. Prabhu, appointed advocate by Legal Aid Committee,
for applicant-appellant is absent.
Mrs.Anamika Malhotra, APP for State.

**WITH
CRIMINAL APPEAL NO. 538 OF 2015**
Rambahadur S/o Belbahadur Somae ..Appellant
V/s.
The State of Maharashtra .. Respondent

**WITH
CRIMINAL APPEAL NO. 1232 OF 2013**
Khadaksingh Dilipsingh Jaigad ..Appellant
V/s.
The State of Maharashtra .. Respondent

Mr.K.R. Holambe Patil, appointed advocate by Legal Aid Committee,
for applicant-appellant is absent.
Mrs.Anamika Malhotra, APP for State.

CORAM : A. R. JOSHI, J.
DATE : 1ST JULY, 2015.

P.C.

1. All these appeals are filed by the appellants convicted accused persons through jail. The order impugned in both the appeals was passed by Ad-hoc Assistant Sessions Judge, City Sessions, Fast Track Court, Sewree, Mumbai on 10th April 2012, thereby convicting the appellants for the offences punishable under sections 395 and 397 of the Indian Penal Code and sentenced to suffer imprisonment for 7 years and to pay fine of Rs.1,000/- each.

2. As such in view of the provisions of section 374(3) of Criminal Procedure Code all the appeals shall lie before the concerned Sessions Court as the challenge is to the order passed by the Assistant Sessions Judge. In view of this legal position, all these appeals are disposed of with liberty to the appellants to take appropriate course of action in accordance with the law. The present order be communicated to the concerned appellants through the Superintendent of Jail in which they are presently lodged.

3. All these appeals are accordingly disposed of along with application for bail.

(A. R. JOSHI, J)