

JPP

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

**CRIMINAL APPLICATION NO. 126 OF 2015
IN
CRIMINAL APPEAL NO. 1035 OF 2005**

Ashok Parshuram Yadav.

... Applicant.

V/s.

The State of Maharashtra.

... Respondent.

Mr. Abhaykumar Apte, Appointed Advocate for the Applicant.
Mrs. S.D. Shinde, APP for the State.

**CORAM : P.V. HARDAS &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.**

JANUARY 27, 2015.

P.C. :-

A letter is received from the Applicant dated 3.11.2014. Registry to register this as an Application.

2. By this Application the Applicant prays for reduction of the amount of fine imposed on him by the Trial Court.

3. The present Applicant/Original Accused No.3 was convicted for an offence punishable under Section 302 r/w. 34 of the Indian Penal Code and was sentenced to imprisonment for life and to pay fine of Rs.20,000/- in default of which to

undergo further R.I. for four months by the Additional Sessions Judge, Greater Bombay by Judgment dated 17.12.2004 in Sessions Case No.285 of 2002. The Applicant had filed Criminal Appeal No. 1035 of 2005 in this Court. The said Appeal was dismissed by us by our Judgment dated 4.2.2014 confirming the conviction and sentence. After the conviction and sentence passed by the Trial Court had been confirmed by us, the Applicant has filed this Application seeking modification of the amount of fine imposed by the Trial Court. Since the Appeal has been dismissed and the sentence has been confirmed, the present Application is not maintainable and is accordingly dismissed.

4. We have heard the learned APP and Mr. Abhaykumar Apte, learned Counsel who had represented the Applicant in the Appeal before us. We accordingly quantify the fees payable to Mr. Abhaykumar Apte, learned Counsel on behalf of the Applicant for arguing this Application at Rs.2,000/-.

5. Application is accordingly dismissed.

6. Copy of this order be communicated to the Applicant who is undergoing his sentence in Jail.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)