

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1104 OF 2012

Mr. Shoeb Munir Shaikh	...	Appellant
vs.		(Orig.Accused No.4)
The State of Maharashtra	...	Respondent

ALONG WITH
CRIMINAL APPEAL NO. 105 OF 2013

1. Shahabaz Feroz Khan	)	
2. Shadab Hussain Shaikh	)...	Appellants
vs.		(Orig. Accused Nos. 1 & 2)
The State of Maharashtra	...	Respondent

ALONG WITH
CRIMINAL APPEAL NO. 1200 OF 2012

Mr. Taher @ Lala Sharif Shaikh	...	Appellant
vs.		(Orig. accused No.3)
The State of Maharashtra	..	Respondent

ALONG WITH
CRIMINAL APPLICATION NO. 15 OF 2015

in

Criminal Appeal No. 105 of 2013

Shahabaz Feroz Khan	..	Applicant
vs.		
The State of Maharashtra	..	Respondent

ALONG WITH
CRIMINAL APPLICATION NO. 520 OF 2015

in

Criminal Appeal No.1200 of 2012

Mr. Taher @ Lala Shariff Shaikh ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Prakash Naik for appellant in Appeal No.1104/2012
Mr. P.G.Sarda for appellant in Appeal No.105 of 2013.
Ms. Mallika Ajay Ingale for appellant in Appeal No.1200 of 2012.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 16th December, 2015.

P.C.

For the reasons to be recorded separately, the following order
is passed :-

(1) The conviction of the appellants for the offences punishable
under Section 392 read with Section 34 of Indian Penal Code, Section 3(1)
(ii) of Maharashtra Control of Organized Crime Act, 1999, Section 3(2) of
Maharashtra Control of Organized Crime Act, 1999, and Section 3(4) of
Maharashtra Control of Organized Crime Act, 1999 is quashed and set
aside.

(2) The appellants herein are convicted for the offence punishable
under Section 411 read with Section 34 of Indian Penal Code and are
sentenced to rigorous imprisonment for three years which is already

undergone by the appellants and fine of Rs.1,000/- each, in default further R.I. for one month.

(3) The appellant – Shoeb Munir Shaikh – accused No.4 in Criminal Appeal No.1104 of 2012 is reported to have undergone substantive sentence of 3 years, 10 months and 8 days.

(4) The appellant Shadab Hussain Shaikh – accused No.2 in Criminal Appeal No.105 of 2013 is reported to have undergone substantive sentence of 5 years, 3 months and 7 days.

(5) The appellant Shahabaz Feroz Khan – accused No.1 in Criminal Appeal No.105 of 2013 has also undergone substantive sentence of 5 years, 3 months and 7 days.

(6) The appellant Taher @ Lala Sharif Shaikh – accused No.3 in Criminal Appeal No.1200 of 2012 has undergone substantive sentence of 3 years, 10 months and 8 days.

(7) In view of this, the appellants be enlarged forthwith, if not

required in any other offence.

(8) Their bail bonds stand cancelled.

(9) The amount of fine, if any, paid, be refunded to the appellants.

All the Appeals stand disposed of accordingly. In view of the disposal of the appeals, Criminal Application Nos. 15 of 2015 and 520 of 2015 stand disposed of accordingly.

(SMT.SADHANA S.JADHAV, J.)