

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 531 OF 1996

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|----|-------------------------------------|--------------------------|--|
| 1. | Devendra Ramchandra Lavate |) | |
| | age 18 years. |) | |
| 2. | Santosh Revansidha Kothe, |) | |
| | age 19 years. |) | |
| | Both resident of Solapur. |)..APPELLANTS | |
| | | (Orig. Accused No.1 & 2) | |
| | vs. | | |
| 1. | The State of Maharashtra |) | |
| 2. | Kallappa Kannikar |) | |
| | R/o Alandkar Chawl, Near Employment |) | |
| | Chowk, Dist. Solapur. |).. Respondents | |

Mr.M.R.Deshpande,Advocate for the appellants.
Ms. Jannat K. Yadav for respondent No.2.
Mr. S.S.Pednekar, APP, for the State.

CORAM: SMT. SADHANA S.JADHAV, J.
DATE : 22nd March, 2016.

P.C.

For the reasons stated in the Judgment separately, the following order is passed :-

ORDER

- (i) The appeal is partly allowed.
- (ii) The conviction of the appellants for the offence punishable under Section 304 Part II of IPC is maintained. They are sentenced to the

period already undergone.

(iii) The conviction of the appellants for the offence punishable under Section 323 read with Section 34 of IPC is maintained. They are sentenced to the period already undergone.

(iv) Their bail bonds stand cancelled.

(v) The sentence of fine is enhanced to Rs.13,000/- instead of Rs.3,000/-.

(vi) The appellants shall deposit an additional amount of Rs.10,000/- before the Sessions Court, Solapur within eight weeks from today.

(vii) Upon depositing the fine amount, the complainant is entitled to compensation of Rs.12,000/-.

(viii) The learned Sessions Court, Solapur, shall issue notice to the respondent No.2 calling upon him to receive the compensation after it is deposited.

Appeal is allowed in the above terms and stands disposed of.

(SMT.SADHANA S.JADHAV, J.)