

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 638 OF 1996

Prabhakar Ramesh Shetty	...	Appellant
vs.		(Orig. Accused No.2)
The State of Maharashtra	...	Respondent

CRIMINAL APPEAL NO. 606 OF 1996

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| 1. | Raju Ramachandra Sonawane |) |
| 2. | Prasanna Ramchandra Jadhav |).. Appellants |
| | | (Orig. Accused Nos. 4 & 5. |
| | | (Appeal against original accused |
| | | No.5 abated, as per Court's |
| | | order dated 8.12.2004. |

MR. Shrikant Sonkawde a/w Mr. Vaibhav Chaudhari i/b. Prakash Shetty
for the appellant.

Mrs. A.A. Mane, APP for the State.

CORAM: SMT. SADHANA S.JADHAV, J.
DATE : 3rd March, 2016.

P.C.

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

ORDER

(i) Criminal Appeal No.638 of 1996 is allowed.

(ii) The appellant in Criminal Appeal No.638 of 1996, who

happens to be original accused No.2 in Sessions Case No.216 of 1993, is hereby acquitted of the offence punishable under Section 392 of the Indian Penal Code.

- (iii) Bail bonds stand cancelled.
- (iv) Fine, if paid, be refunded to the appellant.

CRIMINAL APPEAL NO. 606 OF 1996

- (i) Criminal Appeal No.606 of 1996 is partly allowed.
- (ii) The conviction of the appellant in Criminal Appeal No.606 of 1996 for the offence under Section 392 of IPC is hereby upheld.
- (iii) The learned APP has submitted that the appellant in Criminal Appeal No.606 of 1996 was under-trial prisoner. He has undergone four years and eight months of rigorous imprisonment. The sentence imposed upon the appellant for the offence punishable under Section 392 of IPC is five years. He is sentenced to the period already undergone.
- (iv) Sentence of fine is maintained.
- (v) Bail bonds stand cancelled.

Both the Appeals stand disposed of.

(SMT.SADHANA S.JADHAV, J.)