

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

CRIMINAL WRIT PETITION NO. 934 OF 2016

Mohd. Sittarul Najrul Mulla ... Petitioner.

V/s.

State of Maharashtra & Anr. ... Respondents.

Mr. K. M. Sangani, Advocate for the Petitioner.

Mrs. S. V. Sonawane, APP for the State.

**CORAM : NARESH H. PATIL AND
A. M. BADAR, JJ.**

DATE : 27th APRIL, 2016.

P.C. :

1 Learned counsel appearing for the Petitioner submits that the Petitioner was a juvenile at the time of commission of the alleged offence. The Petitioner was convicted and sentenced for the offence punishable under section 302 of the Indian Penal Code to suffer life imprisonment.

2 The Petitioner preferred an appeal against the said judgment and order being Criminal Appeal No. 250 of 2009. The appeal is pending in the High Court. Learned counsel for the Petitioner submits that an independent inquiry is required to be made, as to whether the petitioner was a juvenile at the

relevant time. The petitioner may raise the plea in the proceedings of criminal appeal.

3 The petition is disposed of with the above liberty.

(A. M. BADAR, J.)

(NARESH H.PATIL,J.)

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