

Anand

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

CRIMINAL APPLICATION NO.52 OF 2016

(For Leave To File Appeal)

**IN
CRIMINAL APPEAL NO. OF 2016**

The State of Maharashtra

.Applicant

Vs.

Prakash Ananda Patil & ors.

.Respondents

Mr.J.P.Yagnik, APP, for the Applicant - State
None for the Respondents

**CORAM : RANJIT V.MORE AND
REVATI MOHITE DERE, JJ.**

DATE : 09.12.2016

P.C.

. This is an Application for leave to file an Appeal against the Judgment and Order dated 22.01.2016 passed by the learned Ad-hoc Addl. Sessions Judge-1, Kolhapur in Cri.Appeal No.177 of 2012. By the said Judgment and Order, the Respondents were acquitted for the offences punishable under Sections 147 & 307 r/w.149 of the Indian Penal Code.

2. The Appeal No.269 of 2016 is filed for enhancement of the sentence. The Appeal arises out of the same order under which the Respondents came to be convicted for the offence punishable

under Section 148 of the Indian Penal Code and sentenced to suffer R.I. for six months & under Section 326 r/w.149 of the Indian Penal Code and sentenced to suffer R.I. for three years.

3. The Respondents have filed Cri. Revision Application No.46 of 2016 challenging their conviction for the offence punishable under Section 326 r/w. 149 of the Indian Penal Code. The said Application has been admitted by the learned Single Judge of this Court.

4. In the above circumstances, we admit Cri. Appeal No.269 of 2016. We also grant leave to file an Appeal. Appeal is admitted. Action under Section 390 is directed.

(REVATI MOHITE DERE, J.)

(RANJIT V.MORE, J.)