

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

CRIMINAL APPLICATION NO. 393 OF 2016

|                                 |     |             |
|---------------------------------|-----|-------------|
| Bacharam Anandrao Patil         | ... | Applicant   |
| V/s.                            |     |             |
| The State of Maharashtra & Ors. | ... | Respondents |

Mr.A.S. Patil for the Applicant.  
Ms.M.M. Deshmukh, APP for Respondent No.1-State.  
Mr.Shekhar Ingavale for Respondent Nos.2 to 7.

**CORAM : RANJIT MORE &  
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

**DATE : 22<sup>nd</sup> DECEMBER, 2016.**

**P.C. :**

1] Heard.

2] By the order dated 5<sup>th</sup> November 2016, passed by the learned Sessions Judge, Kolapur in Sessions Case No.82 of 2009, the Respondent Nos.2 to 7 are acquitted of the offences punishable under Sections 120-B, 302, 504, 506 read with Section 149 of Indian Penal Code (for short, “IPC”) and Section 135 of the Bombay Police Act.

3] Respondent Nos.2 to 7, however, are convicted for the offences punishable under Sections 325, 323 read with Section 149

of IPC and sentenced to suffer rigorous imprisonment.

4]           Respondent Nos.2 to 7 have already preferred Appeal No.743 of 2016 challenging their conviction under Section 325, 323 read with Section 149 of IPC and the same is admitted. Present application is filed seeking leave to file an appeal challenging the acquittal of Respondent Nos.2 to 7 under Sections 120-B, 302, 504 and 506 read with Section 149 of IPC. Since, Respondent Nos.2 to 7's appeal against conviction is already admitted, we grant leave.

5]           Appeal is **admitted**.

6]           Respondent Nos.2 to 7 are in custody, hence no needs to take action under Section 390 of Code of Criminal Procedure.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**

**[RANJIT MORE, J.]**