

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO. 114 OF 2007

Rakhmaji Kushaba Iynar

..... APPELLANT

V E R S U S

The State of Maharashtra

..... RESPONDENT

.....

Mr. S.J.Salunke, Advocate for Appellant.

Mr. S.Y.Mahajan, A.P.P. for Resp. - State.

.....

WITH

CRIM. REVISION APPLICATION NO. 97 OF 2007

Gangubai Dhuraji Bachkar

..... APPLICANT

V E R S U S

Rakhmaji Kushaba Iynar & Anr.

..... RESPONDENTS

.....

Mr. S.S.Kazi, Advocate for Applicant.

Mr. S.Y.Mahajan, A.P.P. for R – 2 - State.

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CORAM : V.L.ACHLIYA, J.

JUDGMENT RESERVED ON : 07/03/2017

JUDGMENT PRONOUNCED ON : 28/06/2017

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OPERATIVE ORDER

[i] Criminal Appeal No. 114 of 2007 is allowed.

[ii] The impugned Judgment and order dated 08/03/2007 passed in Sessions Case No. 11 of 2006 by the learned Additional Sessions Judge, Shrirampur, district Ahmednagar is set aside. The conviction of the appellant u/s 376 of the Indian Penal Code is set aside. The appellant is acquitted of the offence punishable u/s 376 of the Indian Penal Code. Fine amount, if any, deposited be refunded to the appellant.

[iii] Criminal Revision Application 97 of 2007 stands disposed of in terms of order passed in Appeal.

[V.L.ACHLIYA, J.]