

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

CRIMINAL APPEAL NO. 9 OF 2003

MARUTI ABAJI MAGHADE

V E R S U S

THE STATE OF MAHARASHTRA

.....

Mr. K.G.Patil a/w Mr. Kiran Nagarkar,

Advocate for Appellant.

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

.....

CORAM : V.L.ACHLIYA, J.

JUDGMENT RESERVED ON : 28/06/2017

JUDGMENT PRONOUNCED ON : 22/09/2017

.....

OPERATIVE ORDER

[i] Criminal Appeal is partly allowed.

[ii] The conviction of appellant u/s 307 of the Indian Penal Code is altered to section 326 of Indian Penal Code. The appellant is convicted u/s 326 of Indian Penal

Code and sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs. 1,000/- in default to undergo R.I. for one month.

[iii] The appellant shall be entitled for set off as to the period during which the appellant remained as under-trial prisoner.

[V.L.ACHLIYA, J.]