

IN THE HIGH COURT OF BOMBAY AT GOA.

Criminal Appeal No.7/2016

Shri Rohan Gurung,
aged 25 years,
son of Bhimbahadur Gurung,
Indian National,
R/o Sikkim, Dhajendara Ranka,
East Sikkim, Gangtok,
(Presently in custody in Colvale,
Central Jail)

Appellant

Versus

S T A T E
Through Panaji Police Station

Respondent

...

Shri Dhaval Damodhar Zaveri, Advocate for the appellant.
Shri S.R.Rivankar, Public Prosecutor for the respondent.

**CORAM: C.V.BHADANG &
PRITHVIRAJ K.CHAVAN, JJ.
RESERVED ON : 3.11.2017.
PRONOUNCED ON :10.11.2017.**

Operative order:

1. Criminal Appeal is partly allowed.
2. The conviction and sentence of the appellant passed under Section 302 of the Indian Penal Code by the learned Sessions Judge on 22.7.2015 is set aside and instead, the appellant is convicted of the offence punishable under Section 304 Part II of the Indian Penal Code.
3. The appellant is sentenced to imprisonment for the period already undergone by him.

4. Fine amount is maintained.
5. The order, as regards the disposal of muddemal property, is also maintained.
6. The appellant be released forthwith, if not, required in any other offence.

PRITHVIRAJ K.CHAVAN, J.

C.V.BHADANG, J.

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