

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 196 OF 2013**

Bhimrao Ganpat Jadhav

...Appellant

Versus

State of Maharashtra

...Respondent

Mr. S. V. Kotwal I/b Mr. Vijay Killedar for the Appellant

Mr. H. J. Dedia, A.P.P for the Respondents-State

**CORAM : SMT. V. K. TAHILRAMANI &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 11th JANUARY, 2017**

P.C. :

For the reasons separately recorded in the judgment, the following order is passed :

- (1) The conviction under Section 302 of IPC is set-aside. Instead, the appellant is convicted under Section 302 Part II of IPC. In our view, custodial sentence of 5 years RI and fine amount of Rs. 3,000/-, in default, SI for one month would meet the ends of justice.
- (2) The Appeal is partly allowed to the aforesaid extent.

(REVATI MOHITE DERE, J.)

(V. K. TAHILRAMANI, J.)