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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 445 OF 2014

1] Vasant Bhikaji Bodke
2] Vilas Vasant Bodke
3] Kailas Vasant Bodke
4] Sudam Vasant Bodke
5] Suresh Vasant Bodke

....Appellants.
(Orig. Accused Nos.1 to 5)

V/s

The State of Maharashtra

.... Respondent.

Mr. Satyavrat Joshi alongwith Mr. Nitesh J. Mohite, Advocate for the Appellant.

Mrs. S.S. Kaushik, APP for the Respondent – State.

**CORAM: B. R. GAVAI &
SARANG V. KOTWAL, JJ.**

DATE: 18th July, 2018

P.C.:-

For the reasons separately recorded, following order is passed:-

ORDER

(i) Appeal is partly allowed.

(ii) Conviction of the Appellants for the offence punishable under section 149 of IPC read with Section 307 of IPC is altered to the one under

section 149 read with section 326 of IPC.

Appellants are sentenced to undergo rigorous imprisonment for five years for the said offence. The order of learned Trial Judge, so far as the fine is concerned, is maintained.

(iii) Conviction of the Appellants for the offence punishable under section 149 of IPC read with section 302 of IPC is converted into the one under section 149 of IPC read with Part-II of Section 304 of IPC and the Appellants are sentenced to undergo rigorous imprisonment for seven years. The order of learned Trial Judge so far as the fine is concerned, is maintained.

(iv) Rest of the order of the learned Trial Judge, convicting the Appellants for other offences, is maintained.

(v) Needless to state that, Appellants shall undergo the sentence concurrently.

(vi) Appellants, who have undergone sentence of more than seven years, are directed to be set at liberty, if not required in any other case.

Bharat
Dasharath
Pandit

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Bharat Dasharath
Pandit
Date: 2018.07.20
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(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)