

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.684 OF 2010

Vinayak Sitaram Barje.	]	
Age – 23 years,	]	
R/o. Gaondevi Milind Nagar, Vakole Pipe Line,	]	
Near Rameshwar School, Santacruz (W),	]	
Mumbai – 400 055.	]	
(At present accused in Nashik Central Prison)	]	... Appellant / (Org.Accd.No.2)

Versus

The State of Maharashtra.	]	... Respondent
---------------------------	---	----------------

ALONG WITH

CRIMINAL APPEAL NO.459 OF 2010

Kushal Chandrakant Chavan.	]	
Age – 22 years,	]	
Shivkrupa Chawl, Wagri Pada, Datt Mandir,	]	
Vakola, Santacruz (W), Mumbai – 400 055.	]	
(At present accused in Nashik Central Prison)	]	... Appellant / (Org.Accd.No.1)

Versus

The State of Maharashtra.	]	
(At the instance of D.C.B. C.I.D., Mumbai,	]	
vide C.R.No.164/08).	]	... Respondent

Mr. P. G. Kathane i/b Mr. Krishna M. Kadam for Appeal in Criminal Appeal No.684 of 2010.

Mr. Rajiv Singh i/b Mr. Santosh P. Sarkar for Appellant in Criminal Appeal No.459 of 2010.

Mrs. S. V. Sonawane, APP for State - Respondent in both Appeals.

**CORAM :- B. R. GAVAI &
SARANG V. KOTWAL, JJ.**
DATE :- 13 JUNE, 2018

P. C. :-

For the reasons separately recorded, following order is
passed :

ORDER

- (i) The Appeals are allowed.
- (ii) The Order of conviction and sentence is set aside.
- (iii) The Appellants are acquitted of the charges charged with.
- (iv) The Appellants are directed to be set at liberty, if not required in any other case.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)