

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.1356 OF 2011**

**Ramesh Krushna Bhoir and another** ..Appellants  
**Versus**  
**The State of Maharashtra** ..Respondent

**ALONGWITH  
CRIMINAL APPLICATION NO.1036 OF 2018**

**Ramesh Krushna Bhoir** ..Applicant  
**Versus**  
**The State of Maharashtra** ..Respondent

**ALONGWITH  
CRIMINAL APPEAL NO.1321 OF 2011**

**Dnyaneshwar @ Dnyana Walku Bhoir**  
**and others** ..Appellants  
**Versus**  
**The State of Maharashtra** ..Respondent

**Mr. Rajiv Patil, Senior Advocate I/by Mr. Onkar Warange,**  
**Advocate for the Appellants in both the Appeals.**

**Mr. Ajay Patil, APP for the Respondent – State in both the**  
**Appeals.**

**CORAM : B. R. GAVAI &  
SARANG V. KOTWAL, JJ.  
DATE : 16<sup>th</sup> JULY, 2018**

**P.C.**

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

*BGP.*

**ORDER**

- A) I) Criminal Appeal No.1356 of 2011 is partly allowed.
- II) The order of conviction as recorded by learned Additional Sessions Judge, Kalyan, by judgment and order dated 15<sup>th</sup> September 2011 for the offence punishable under Section 302 of the IPC is converted to the one under Part I of Section 304 of IPC.
- III) The accused are directed to undergo sentence of ten years for the said offence.
- IV) Since both the Appellants have undergone sentence more than nine years, they are directed to be set at liberty forthwith, if not required in any other case.
- V) The order of conviction and sentence for the offence punishable under Section 324 is maintained.

VI) In view of disposal of Criminal Appeal No.1356 of 2011, Criminal Application No.1036 of 2018 does not survive and accordingly stand disposed of.

**B)** I) Criminal Appeal No.1321 of 2011 is partly allowed.

II) The order of conviction of the Appellants i.e. original Accused Nos.6, 8, 24 and 29 for the offence punishable under Section 324 of the IPC is maintained

III) However, the sentence of two years is reduced for already undergone. The order of fine etc. is maintained.

IV) The Accused are on bail, their bail bonds shall stand discharged.

**[SARANG V. KOTWAL, J.]**

**[B. R. GAVAI, J.]**