

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.289 OF 2012

ALONG WITH

CRIMINAL APPLICATION NO.1565 OF 2014

Suresh Premsing Vishwakarma alias Lohar.	]	
Age - 30 years, Occupation - Labour,	]	
R/at - Wadgaonsheri Pune, Originally	]	
Inhabitant of Ward No.8, Dharampur,	]	
District Kailali, Aanaset, Nepal State.	]	
(At present lodged at Yerawara Central Prison,	]	... Appellant
Pune)	]	Original Accused

Versus

The State of Maharashtra.	]	... Respondent
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Mr. D. G. Khamkar for Appellant.
Mr. Ajay Patil, APP for State.

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

For the reasons separately recorded, following order is
passed :

ORDER

(i) The Appeal is allowed.

- (ii) The Judgment and Order of conviction and sentence dated 13/01/2012 passed by the learned Additional Sessions Judge, Pune, in Sessions Case No.419 of 2009, convicting the Appellant for commission of the offences punishable under Sections 363, 366-A, 364, 376(2)(f) and 302 of the IPC, is quashed and set aside. The Appellant is acquitted of the charges charged with.
- (iii) The Appellant is directed to be set at liberty forthwith, if not required in any other case.
- (iv) With the disposal of the Appeal, Criminal Application does not survive and stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)