

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

CRIMINAL APPEAL NO.291 OF 1996

Chandrashekhar @ Sanjaysingh

Shivaji Bhosale

... Appellant

Vs.

The State of Maharashtra

... Respondent

Mr. Jayant J. Bardeskar, appointed advocate as Legal Aid Counsel for appellant.

Mrs. M.M. Deshmukh, APP for the respondent-State.

**CORAM : S.S. SHINDE &
N.B. SURYAWANSHI, JJ.**

DATE : 5TH NOVEMBER, 2019.

P.C. :

1. Heard learned counsel for the appellant and learned APP for the State at length. For the reasons to be recorded separately, following order is passed :-

ORDER

- (i) The Appeal is allowed.
- (ii) The impugned judgment and order dated 22nd May, 1996 passed by the Additional Sessions Judge, Kolhapur in Sessions Case No.89 of 1994 is quashed and set aside.

- (iii) Accused Chandrashekhar @ Sanjaysingh Shivaji Bhosale is acquitted from the offence punishable under section 302 of the IPC.
- (iv) The fine amount, if any, deposited by the appellant, shall be refunded to him.
- (v) The appellant is already on bail. The bail bonds shall stand cancelled.
- (vi) We appreciate the assistance given by Advocate Mr. Jayant J. Bardeskar during the course of hearing of the Appeal and direct the Legal Aid Services to pay Rs.10,000/- towards the professional fees and expenses to him within one month from today.

(N.B. SURYAWANSHI, J.)

(S.S. SHINDE, J.)