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

CRIMINAL APPEAL No. 16 OF 2016

Amir Ismail Patel @ Ammu	...Appellant
Vs.	
The State of Maharashtra	...Respondent

Mr. Aniket Vagal for Appellant
Mr. Y.Y. Dabke -APP for the State

CORAM : SMT.SADHANA S. JADHAV, J.

DATE : JANUARY 8, 2019

P.C.:

1. For the reasons recorded separately, the criminal appeal is partly allowed. Hence, following order is passed.

ORDER

- (i) The appeal is partly allowed.
- (ii) The conviction of the Appellant – Amir Ismail Patel @ Ammu for the offence punishable under Section 307 of the Indian Penal Code is quashed and set aside.
- (iii) The Appellant is hereby convicted for an offence punishable under Section 325 of the Indian Penal Code and sentenced to the period already undergone.
- (iv) The sentence of fine is modified. The Appellant is sentenced to pay fine of Rs.5,000/-, in default, R.I. for one month.

- (v) The conviction of the Appellant for the offence punishable under Section 324 of the Indian Penal Code is maintained.
- (v) The Appellant be released forthwith, if not required in any other offence.

[SMT.SADHANA S. JADHAV, J.]

V.A. Tikam