

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

CRIMINAL APPEAL NO.1162 OF 2013

Mohasin Mohd. Yasin Behlim ...Appellant.
vs.
The State of Maharashtra ...Respondent.

**WITH
CRIMINAL APPEAL NO.1172 OF 2013**

Smt. Hikmatunnisa Siraj Khan ...Appellant.
vs.
Zulfikar @ Zulfi Yasin Behlim and ors. ...Respondents.

**WITH
CRIMINAL APPEAL NO.56 OF 2014**

The State of Maharashtra ...Appellant
vs.
Zulfikar @ Zulfi Yasin Behlim and anr. ...Respondents.

**WITH
CRIMINAL APPEAL NO.399 OF 2018**

Zulfikar @ Zulfi Yasin Behlim and anr. ...Appellants
vs.
The State of Maharashtra ...Respondent

Ms. Payoshi Roy i/by Dr. Yug M. Chaudhary for Appellant in Appeal No.1162/2013.

Mr. Sandeep K.Singh for appellant in Appeal No.399/2018 and for Respondent Nos. 1 and 2 in Appeal No.56/2014.

Mr. Ramesh S. Bhandary i/by Prakash Shetty for Appellant in Appeal No.1172/2013

Mr. H. J. Dedhia, APP. for State.

**CORAM : B.P.DHARMADHIKARI &
SMT. SWAPNA S. JOSHI, JJ.
DATE : 12th June, 2019**

PC: **OPERATIVE ORDER**

For reasons separately recorded, we pass the following order.

- a) Criminal Appeal Nos. 1162/2013 and 399/2018 are allowed.
- b) Conviction of these appellants by Judgment and Order dated 30.8.2013 delivered by Additional Sessions Judge, Greater Mumbai in Sessions Case No.354 of 2009 is hereby quashed and set aside.
- c) Appellants in Criminal Appeal No.399/2018 namely Zulfikar @ Zulfi Yasin Behlim and anr. have already undergone their punishment. However their conviction and sentence is also set aside.
- d) Appellant Mohasin (accused No.1) be set forth at liberty forthwith if his custody is not required by prosecution in any other matter.
- e) Appeal Nos. 1172/2013 and 56/2014 are dismissed.
- f) Muddemal property be dealt with as directed by trial court after appeal period is over.

(SMT. SWAPNA S. JOSHI, J.)

(B.P.DHARMADHIKARI, J.)