

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

**CRIMINAL APPEAL NO. 42 OF 2013**

Rakesh Janardhan Jana. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

**CRIMINAL APPEAL NO. 72 OF 2013**

Raghunath Vasudev Muhuri @ Raju. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

**CRIMINAL APPEAL NO. 79 OF 2015**

Shubendu Jagannath Sardar. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

**CRIMINAL APPEAL NO. 100 OF 2015**

Ashish Ashok Kha and ors. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

**CRIMINAL APPEAL NO. 233 OF 2013**

Uttam Shivaji Pawar. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

*Talwalkar*

WITH  
**CRIMINAL APPEAL NO. 305 OF 2013**

Jamshedali Safiuddin Shaikh. ..Appellant.  
V/s.  
The State of Maharashtra. ..Respondent.

WITH  
**CRIMINAL APPEAL NO. 1353 OF 2012**

Deepankar Govind Gosh. ..Appellant.  
V/s.  
The State of Maharashtra. ..Respondent.

Ms. Payoshi I/b. Dr. Yug Mohit Choudhary, advocate for appellants in Criminal Appeal Nos. 42/2013 and 72/2013.

Ms. Pallavi N. Dabholkar, APP for State.

**CORAM : SMT. SADHANA S. JADHAV,J.**

**DATE : JUNE 21, 2019.**

**P. C. :**

1 Heard the learned Counsel for the appellants in Criminal Appeal Nos. 42/2013 and 72/2013. None appears in Criminal Appeal Nos. 79/2015, 100/2015, 233/2013, 305/2013 and 1353/2012. Hence, this Court has requested learned Counsel Ms. Payoshi to espouse the cause of the appellants in Criminal Appeal Nos. 79/2015, 100/2015, 233/2013, 305/2013 and 1353/2012. She has graciously accepted the request made by this Court. Heard the learned APP for State.

*Talwalkar*

2 For the reasons to be recorded separately, following order is passed :

**ORDER**

- (i) The appeals are allowed.
- (ii) The conviction and sentence imposed on the appellants vide Judgment and Order dated 9/11/2012 passed by the Additional Sessions Judge, Sewree, Mumbai in Sessions Case No. 716 of 2011 is hereby quashed and set aside. The appellants are acquitted of all the charges levelled against them.
- (iii) The appellants be released forthwith, if not required in any other case.
- (iv) The fine amount, if paid, be refunded.
- (v) Writ be issued expeditiously.

The appeals are disposed of accordingly.

**[SMT. SADHANA S. JADHAV, J.]**