

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

CRIMINAL APPEAL NO. 560 OF 2012

Deepak @ Anna Sitaram Kate ... Appellant
Versus

The State of Maharashtra ... Respondent

**ALONG WITH
CRIMINAL APPEAL NO.640 OF 2013**

The State of Maharashtra ... Appellant

Versus

Sitaram Sampat Kate and Anr. ... Respondents

Mr. Chaitanya Pendse i/b Akshay Gosavi for the appellant in Appeal No.560/2012 and for respondent Nos.1 and 2 in Appeal No.640/2013.
Mrs. M.H. Mhatre, APP for the Respondent in Appeal No.560/2012 and for the appellant in Appeal No.640/2013.

**CORAM : B.P. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.
DATE : APRIL 30, 2019.**

P.C.:

For the reasons separately recorded, the Criminal Appeal No.640/2013 is dismissed and Criminal Appeal No.560/2012 is allowed and the Appellant- Deepak @ Anna Sitaram Kate is given benefit of doubt and acquitted of charge punishable under section 302 of IPC and of charge under section 307 of IPC;

2. The judgment and order of his conviction dated 27/3/2012 in Sessions Case No.95/2010 passed by Extra Joint District Judge and Additional Sessions Judge, Baramati is hereby quashed and set aside;
3. The appellant- Deepak @ Anna Sitaram Kate be set at liberty if his custody is not required by the State Government in any other matter;
4. Muddemal property be dealt with as directed by the trial Court after the appeal period is over.

(PRAKASH D. NAIK, J.)

(B.P. DHARMADHIKARI, J.)