

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 866 OF 2015

1 Shri Vinayak Tulshidas Karbotkar.

Age : 28 years, Occ: Not known

R/o. Parvati Koilwada, Bardesh Goa.

2 Shri Pravin Walaji Patel

Age : 48 years, Occ. Not known,

R/o. Mudhal Tittha, Tal : Bhudargad,

Dist. : Kolhapur.

3 Shri Dipak Kashinath Kerkar,

Age : 30 years, Occ. Not known,

R/o. Santakruz, Tal. Siswadi, Goa.

..Appellants.

V/s.

State of Maharashtra.

..Respondent.

Mr. P.B. Shah I/b. Mr. Kayval P. Shah, advocate for petitioner.

Mr. Anilkumar K. Patil, advocate for respondent No. 3.

Ms. Mansi Bane, AGP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : APRIL 2, 2019.

P. C. :

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

ORDER

(i) The appeal is partly allowed.

(ii) The conviction imposed upon the appellant No. 1/accused No.

Talwalkar

1 vide Judgment and Order dated 15/6/2015 passed by Additional Sessions Judge, Sindhudurga at Oros in Sessions Case No. 38 of 2011 is maintained on all count and sentence of fine imposed upon the accused No. 1 is also maintained.

(iii) Accused Nos. 2 and 4 are acquitted of all the charges. Accused Nos. 2 and 4 be released forthwith, if not required in other offence.

(iv) Writ be issued expeditiously.

It would be difficult to part with the Judgment without appreciating the efforts taken by the learned Counsel Mr. Lokesh Zade, appointed to espouse the cause of the appellant. His professional fees are quantified as per rules to be paid by High Court Legal Services Committee within 3 weeks from today.

The appeal is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]