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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.115 OF 2016

Vijay @ Viju Ramesh Ippar ...Appellant
vs.
State of Maharashtra
(through City Police Station
Manmad, Taluka Nandgaon,
Dist. Nashik ...Respondent

ALONG WITH
CRIMINAL APPEAL NO.1101 OF 2015

Dyaneshwar @ Pintu Vasant Jadhav ...Appellant
vs.
State of Maharashtra ...Respondent

Mr.Harshad E. Palwe I/b Mr.Chetan S. Damre for the
Appellant in Appeal No.115 of 2016 and for applicant
in 114/2018
Mr.Indrajeet Joshi for the appellant in Appeal
No.1101/2015
Ms P.P.Shinde, APP for the respondent-State

CORAM : A.S.OKA, &
A.S.GADKARI, JJ.
DATE : FEBRUARY 26, 2019

OPERATIVE ORDER

. For the reasons separately recorded in the
Judgment dictated in open Court, we pass the
following order:

(I) The impugned Judgment and Order dated 19th
October 2015 passed by the learned Additional
Sessions Judge, Malegaon, District Nashik in
Sessions Case No.59 of 2011 is hereby quashed

and set aside to the extent to which accused No.1-Vijay @ Viju Ramesh Ippar and accused No.2-Dyaneshwar @ Pintu Vasant Jadhav were convicted for the offences punishable under section 302 read with section 34 and section 201 read with section 34 of the Indian Penal Code;

- (II) Consequential direction regarding payment of compensation is also set aside;
- (III) The directions issued under the impugned order regarding the Muddemal Articles stand confirmed;
- (IV) Appeals are allowed accordingly. Pending Criminal Application No.114 of 2018 does not survive and the same is disposed of;
- (V) The appellant-accused No.1-Vijay @ Viju Ramesh Ippar and accused No.2-Dyaneshwar @ Pintu Vasant Jadhav shall be immediately set at liberty unless they are required in connection with any other offence;
- (VI) All concerned to act upon an authenticated copy of this operative part of the Judgment and order.

(A.S.GADKARI, J.)

(A.S.OKA, J.)