

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO. 277 OF 2018

Joharabegum W/o. Shaikh Akhtar ...Appellant
Versus
The State of Maharashtra & Ors ...Respondents
...
Mr. R.B. Bagul, APP, for the Respondent – State.
...

**CORAM : R.G. AVACHAT &
R.M. JOSHI, JJ**

DATE : DECEMBER 21, 2022.

PER COURT :

1. On last occasion this Court has made query to the learned Advocate for the Appellant as to how Appeal filed by the informant for enhancement of sentence would be maintainable.

2. Today, when matter was called out Mr. Kulkarni, learned Advocate for the Appellant is absent.

3. Appellant victim has filed this Appeal for enhancement of sentence. Section 372 of Cr.P.C. provides that no appeal shall lie from any judgment or order of a Criminal Court except as provided for by this Code or by any other law for the time being in force. There is, however, proviso to said section

wherein right is given to the victim to prefer an appeal against any order passed by the Court acquitting accused or convicting for a lesser offence or imposing inadequate compensation. Except for this three categories no right of Appeal has been provided to the victim.

4. Thus, the Appellant herein cannot claim right to prefer Appeal for enhancement of the sentence imposed on the convicts.

5. Having regard to the said provision of law, we find that present Appeal is not maintainable. In the result, Appeal stands dismissed.

(R.M. JOSHI, J.)

(R.G. AVACHAT, J.)

Malani