

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO.9 OF 2022

AMAN KAVITIYA
(PRESENTLY IN
CENTRAL JAIL,
COLVALE)

... APPELLANT

Versus

STATE THROUGH PUBLIC
PROSECUTOR & ANR.

... RESPONDENTS

Mr. Rohan P. Desai, Advocate for the Appellant.

Mr. S.G. Bhobe, Public Prosecutor for the Respondents.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATE : 27th SEPTEMBER 2022

OPERATIVE PART :

1. For the reasons to follow, we allow this appeal by quashing and setting aside the impugned judgment and order dated 20.12.2021 in Sessions Case (302) No.10/2018 delivered by the learned Sessions Judge, South Goa at Margao.

2. The appellant's conviction under Sections 302, 394 and 201 of IPC and the sentence imposed upon him are set aside. The appellant to be set at liberty forthwith, if not required in any other case. The appellant has to furnish fresh Bail Bonds under Section 437-A of

Cr.P.C., of ₹25,000/- with one surety in the like amount, within a period of one week from his release, until the appeal period is over. These bail bonds and surety must be to the satisfaction of the learned Sessions Judge at Margao.

3. All concerned to act on an authenticated copy of this order.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

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