

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO.1 OF 2023

WITH

CRIMINAL MISCELLANEOUS APPLICATION NO.2 OF 2023

IN

CRIMINAL APPEAL NO.1 OF 2023

Aniket Yallurkar presently lodged
in judicial custody Central Jail
And Anr.

... Appellants

Versus

State thr. PP And Anr.

..Respondents

AND

CRIMINAL APPEAL NO.2 OF 2023

WITH

CRIMINAL MISCELLANEOUS APPLICATION NO.3 OF 2023

IN

CRIMINAL APPEAL NO.2 OF 2023

Ravi Patil presently lodged in
judicial custody Central Jail And
Anr.

... Appellants

Versus

State thr. PP And Anr.

..Respondents

Mr Alphy D'Souza, Advocate for the Appellants.

Mr Shailendra G. Bhobe, Public Prosecutor for the State

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

DATED : 18th JANUARY 2023

P. C.

Heard Mr Alphy D'souza, learned counsel for the appellants and Mr Bhobe, learned Public Prosecutor for the State.

2. Both these appeals are admitted. Call for Records and Proceedings. Registry to prepare the paper-book at the earliest. After the paper-books are ready, place the appeals for final hearing immediately.

3. We direct that this exercise of preparation of paper-books and placing the appeals for final hearing should be completed as early as possible and not later than 4 weeks from today.

4. Mr Alphy D'Souza, learned counsel for the appellants prays for suspension of sentences. He points out that the appellants have already served about 10 years. He states that the appellants have a good case to succeed on merits since the prosecution has failed to prove their guilt beyond reasonable doubt. For all these reasons, he submits that the sentences be suspended.

5. Admittedly, during trial, as the appellants were armed with the presumption of innocence, they were out on bail. The Sessions Court has convicted the appellants, inter alia, for offence under Section 302 of I.P.C. We have expedited the hearing of the above appeals. Considering all these facts, prayer for suspension of sentences cannot

be considered.

6. The Criminal Miscellaneous Applications seeking suspension of sentences are, therefore, dismissed.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.