

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION***

***CRIMINAL APPEAL NO.707 OF 2019***

|                          |               |
|--------------------------|---------------|
| Nitin Gorakhnath Sartape | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.86 OF 2021***

|                                     |               |
|-------------------------------------|---------------|
| Sandip S/o Hemraj Sardar (Prisoner) | ...Appellant  |
| Versus                              |               |
| The State of Maharashtra            | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.104 OF 2021***

|                                 |                |
|---------------------------------|----------------|
| Tanaji Bhausahab Desai          | ...Appellant   |
| Versus                          |                |
| The State of Maharashtra & Anr. | ...Respondents |

***WITH  
CRIMINAL APPEAL NO.151 OF 2021***

|                               |               |
|-------------------------------|---------------|
| Pradeep Pandurang Suryawanshi | ...Appellant  |
| Versus                        |               |
| The State of Maharashtra      | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.350 OF 2015***

|                          |               |
|--------------------------|---------------|
| The State of Maharashtra | ...Appellant  |
| Versus                   |               |
| Pradeep Rameshwar Sharma | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.854 OF 2013***

|                                 |                |
|---------------------------------|----------------|
| Ramprasad Vishwanath Gupta      | ...Appellant   |
| Versus                          |                |
| Pradeep Rameshwar Sharma & Anr. | ...Respondents |

***WITH  
CRIMINAL APPEAL NO.942 OF 2013***

|                                |               |
|--------------------------------|---------------|
| Manoj Mohan Raj @ Mannu & Ors. | ...Appellants |
| Versus                         |               |
| The State of Maharashtra       | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.943 OF 2013***

|                                          |               |
|------------------------------------------|---------------|
| Hitesh Shantilal Solanki @ Dhabbu & Ors. | ...Appellants |
| Versus                                   |               |
| The State of Maharashtra                 | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.944 OF 2013***

|                                                  |               |
|--------------------------------------------------|---------------|
| Shailendra Dhoopnarayan Pandey<br>@ Pinky & Anr. | ...Appellants |
| Versus                                           |               |
| The State of Maharashtra                         | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1038 OF 2013***

|                                |               |
|--------------------------------|---------------|
| Ratnakar Gautam Kamble @ Rattu | ...Appellant  |
| Versus                         |               |
| The State of Maharashtra       | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1080 OF 2019***

|                                  |               |
|----------------------------------|---------------|
| Vinayak Babasaheb Shinde @ Veenu | ...Appellant  |
| Versus                           |               |
| The State of Maharashtra         | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1177 OF 2019***

|                              |               |
|------------------------------|---------------|
| Devidas Gangaram Hari Sakpal | ...Appellant  |
| Versus                       |               |
| The State of Maharashtra     | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1239 OF 2019***

|                          |               |
|--------------------------|---------------|
| Anand Balaji Patade      | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1242 OF 2018***

|                          |               |
|--------------------------|---------------|
| Dilip Sitaram Palande    | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

***WITH  
CRIMINAL REVISION APPLICATION NO.182 OF 2023***

|                               |                |
|-------------------------------|----------------|
| Ramprasad Vihwanath Gupta     | ...Applicant   |
| Versus                        |                |
| Tanaji Bhausahab Desai & Ors. | ...Respondents |

***WITH  
CRIMINAL APPEAL NO.1488 OF 2018***

|                          |               |
|--------------------------|---------------|
| Pandurang Ganpat Kokam   | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1490 OF 2018***

|                          |               |
|--------------------------|---------------|
| Ganesh Ankush Harpude    | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

***WITH  
CRIMINAL APPEAL NO.1493 OF 2018***

|                          |               |
|--------------------------|---------------|
| Prakash Ganpat Kadam     | ...Appellant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

Mr. Jagdish Shetty for appellant in Appeal/944/2013

Mr. Jagdish Shetty a/w Mr. Mohammed Ayub Shaikh and Mr. Subhash Surve for Appellant No. 8, 10, 12 & 21 in Appeal/942/2013

Mr. Jagdish Shetty a/w Mr. Mohammed Ayub Shaikh for Appellant No. 5 & 6 in Appeal/943/2013

Ms. Pradnya S. Talekar a/w Mr. Ajinkya S. Kale, Ms. Madhavi Ayyappan, Mr. Shubham Gurav, Ms. Dnyaneshwari Patil, Ms. Vishakha Patil and Ms. Kalyani Mangave i/b Talekar & Associates for the Appellant in Appeal/151/2021

Ms. Ilsa Shaikh i/b Mr. Shantanu R. Phanse for appellant in Appeal/707/2019

Mr. R.V. Gupta Appellant in Appeal/854/2013

Mr. R.V. Gupta, Applicant in-person in Revn/182/2023

Mr. Rajiv Chavan, Sr. Advocate/Spl.PP a/w Mr. J.P. Yagnik, Addl. PP, Mrs. P.P. Shinde, APP, Mr. Gopal Parab, Ms. Priyanka B. Chavan, Ms. Bhairavi Waradekar and Ms. Priya Mehra for State

Mr. Chandansingh Shekhawat h/f Mr. Aabad Ponda, Sr. Advocate for Respondent No.1 in Appeal/350/2015 and Appeal/854/2013

**CORAM : REVATI MOHITE DERE &  
GAURI GODSE, JJ.  
(IN CHAMBERS)  
FRIDAY, 5<sup>th</sup> APRIL 2024**

**P.C :**

1           A praecipe has been filed by the original complainant Mr. Ramprasad Gupta (Appellant in Appeal/854/2013 and Petitioner in Revision Application/182/2023), who appears in-person, for speaking to the minutes of the Judgment dated 19<sup>th</sup> March 2024 passed in the above captioned matters, for correcting the following typographical/clerical errors :

| <b>Sr. Nos.</b> | <b>Relevant Para &amp; Page No.</b>                                                                                                                  | <b>Typographical/ Clerical Error</b>               | <b>Correction</b>                                                                 |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------|
| 1               | Para 23.1 at Pages 97 & 98<br>Para 23.2 at Page 98<br>Para 23.3 at Page 99<br>Para 23.4 at Page 99<br>Para 23.6 at Page 102<br>Para 23.7 at Page 102 | Ramnarayan                                         | Ramprasad                                                                         |
| 2               | Above Para 28.9 at Page 180<br>Para 32 at Page 186<br>Para 102 at Page 337<br>Para 181 at Page 447                                                   | A7                                                 | A9                                                                                |
| 3               | Para 52 at Page 223                                                                                                                                  | A3                                                 | A2                                                                                |
| 4               | Para 72 at Pages 258-259                                                                                                                             | 9:00<br>21:00 – 21:30<br>23:00 – 00:00<br>dead boy | 21:00<br>9:00 – 9:30<br>11:00 – 12:00<br>dead body                                |
| 5               | Para 72.3 at Page 261                                                                                                                                | Search for PW1                                     | Search for Ramnarayan                                                             |
| 6               | Para 77 at Page 292                                                                                                                                  | Went to Rabale Police Station                      | Contacted PSI Sakpal of Rabale Police Station and PI Arun Chavan of Property Cell |
| 7               | Para 124 at Page 357                                                                                                                                 | 12.11.2006                                         | 12.12.2006                                                                        |
| 8               | Para 163 at Page 420                                                                                                                                 | Cooper Hospital                                    | JJ Hospital                                                                       |
| 9               | Para 167 at Page 435                                                                                                                                 | Right Finger<br>Two on chest                       | Right Ear Pinna<br>Three on chest                                                 |

|    |                                                                                                                          |                           |                          |
|----|--------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------|
| 10 | Para 178 at Page 444                                                                                                     | Exh. 114                  | Exh. 14                  |
| 11 | Para 188 at Page 455                                                                                                     | Revolver                  | Pistol                   |
| 12 | Para 188 at Page 455                                                                                                     | Station Diary             | Weapon Register          |
| 13 | Para 189 at Page 456<br>Para 191 at Page 457<br>Para 191.1 at Page 458<br>Para 191.2 at Page 458<br>Para 192 at Page 460 | Station Diary             | Register                 |
| 14 | Para 196.2 at Page 464                                                                                                   | 30.08.2022<br>12.12.2009  | 30.08.2008<br>01.09.2008 |
| 15 | Para 209 at Page 473                                                                                                     | 287<br>86                 | 285<br>283               |
| 16 | Para 221 at Page 482                                                                                                     | A18                       | PW91                     |
| 17 | Parcel (3) at Page 483                                                                                                   | A18's weapon              | Deceased's weapon        |
| 18 | Parcel (4) at Page 483                                                                                                   | A15's weapon              | A2's weapon              |
| 19 | Parcel (5) at Page 483                                                                                                   | OA1's weapon              | A9's weapon              |
| 20 | Parcels (6) & (7) at Page 483                                                                                            | Two .38" revolver empties | One .38" revolver empty  |
| 21 | Para 224 at Page 488                                                                                                     | PW39                      | PW107                    |
| 22 | Para 230.5 at Page 504                                                                                                   | 5L/5V                     | 5L/5G                    |
| 23 | Para 252.2 at Page 522                                                                                                   | 18:00 hrs                 | 6:00 hrs                 |
| 24 | Para 252.3 at Page 524                                                                                                   | Versova Police Station    | Vashi Police Station     |

|    |                                              |                           |                           |
|----|----------------------------------------------|---------------------------|---------------------------|
| 25 | Para 253 at Page 526                         | Witness                   | Accused                   |
| 26 | Para 253.2 at Page 528                       | 11 <sup>th</sup> November | 12 <sup>th</sup> November |
| 27 | Para 254 at Page 534                         | PW53                      | PW55                      |
| 28 | Para 255 at Page 534                         | A2, A3 and A5             | A2 and A3                 |
| 29 | Para 256 at Page 535                         | Station Diary             | Relevant Register         |
| 30 | Para 259 at Page 537<br>Para 265 at Page 539 | A2 and A3                 | A2 and A5                 |
| 31 | Para 284 at Page 585                         | PW1                       | PW31                      |
| 32 | Para 393 at Page 740                         | Lived at Mira Road        | Lived at Worli            |
| 33 | Para 398 at Page 745                         | CDRs of A2 and A3         | CDRs of A2 and A5         |
| 34 | Para 400 at Page 750                         | DN Nagar Police Station   | Andheri Police Station    |
| 35 | Para 419 at Page 768                         | Charge was to be framed   | Charge was framed         |
| 36 | Para 424.2 at Page 789                       | Exh. 9                    | Exh. 8                    |
| 37 | Paras 466-467 at Page 836                    | 01.11.2006<br>Exh. 240    | 12.11.2006<br>Exh. 214    |

2           Insofar as corrections mentioned at Serial Nos. 30, 33 and 36 are concerned, we do not find any typographical/clerical error therein.

3            Corrections mentioned at Serial Nos. 1 to 29, 31, 32,  
34, 35 and 37 are allowed.

4            A praecipe dated 5<sup>th</sup> April 2024 has also been filed by  
Mr. Jagdish Shetty pointing out a clerical error in the 8<sup>th</sup> line of  
Para 205 at Page 470 of the aforesaid judgment. He submits that  
the date of arrest of A2, A4, A5 and A6 is wrongly mentioned as  
7<sup>th</sup> November 2011 instead of 7<sup>th</sup> January 2010. He further  
requests to mark the appearance of Mr. Subhash Surve along with  
other advocates in the appearance column against Criminal  
Appeal No. 942/2013.

5            The date of arrest be corrected to read as 7<sup>th</sup> January  
2010. The appearance column be corrected to read as under :

*“Mr. Jagdish Shetty a/w Mr. Mohammed Ayub Shaikh  
and Mr. Subhash Surve for Appellant No. 8, 10, 12 &  
21 in Appeal/942/2013.”*

6           A praecipe dated 5<sup>th</sup> April 2024 has been filed by the learned counsel appearing for the appellant in Criminal Appeal No.151/2021, with a request to mark the appearances of the advocates – ‘Mr. Ajinkya S. Kale, Mr. Shubham Gurav, Ms. Dnyaneshwari Patil, and Ms. Vishakha Patil’ in addition to the appearance mentioned against the captioned appeal.

7           Accordingly, the appearance column against Criminal Appeal No. 151/2021 be corrected to read as under :

*“Ms. Pradnya S. Talekar a/w Mr. Ajinkya S. Kale, Ms. Madhavi Ayyappan, Mr. Shubham Gurav, Ms. Dnyaneshwari Patil, Ms. Vishakha Patil and Ms. Kalyani Mangave i/b Talekar & Associates for the Appellant in Appeal/151/2021”.*

8           Learned counsel for the respective parties do not have any objection if the corrections as allowed above, are carried out in the original judgment.

9           Accordingly, all the above corrections along with the consequential corrections be carried out in the original judgment and the corrected judgment be re-uploaded on the server. Order accordingly.

10           All the praecipes dated 3<sup>rd</sup> and 5<sup>th</sup> April 2024 stand disposed of accordingly.

11           All concerned to act on the authenticated copy of this order.

**GAURI GODSE, J.**

**REVATI MOHITE DERE, J.**