

***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 @ 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, 5th 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 19th March 2024 passed in the above captioned matters, for correcting the following typographical/clerical errors :

Sr. Nos.	Relevant Para & Page No.	Typographical/ Clerical Error	Correction
1	Para 23.1 at Pages 97 & 98 Para 23.2 at Page 98 Para 23.3 at Page 99 Para 23.4 at Page 99 Para 23.6 at Page 102 Para 23.7 at Page 102	Ramnarayan	Ramprasad
2	Above Para 28.9 at Page 180 Para 32 at Page 186 Para 102 at Page 337 Para 181 at Page 447	A7	A9
3	Para 52 at Page 223	A3	A2
4	Para 72 at Pages 258-259	9:00 21:00 – 21:30 23:00 – 00:00 dead boy	21:00 9:00 – 9:30 11:00 – 12:00 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 Two on chest	Right Ear Pinna 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 Para 191 at Page 457 Para 191.1 at Page 458 Para 191.2 at Page 458 Para 192 at Page 460	Station Diary	Register
14	Para 196.2 at Page 464	30.08.2022 12.12.2009	30.08.2008 01.09.2008
15	Para 209 at Page 473	287 86	285 283
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 th November	12 th 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 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 Exh. 240	12.11.2006 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 5th April 2024 has also been filed by
Mr. Jagdish Shetty pointing out a clerical error in the 8th 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
7th November 2011 instead of 7th 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 7th 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 5th 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 3rd and 5th 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.