

Sunil Naik (Appellant 1), is farmer living with his family consisting of his wife (Sunita), sons Arun Naik (Appellant 2) and Raghu Naik (Appellant 3) and daughter Naina. Karim, a boy living in the same village Shiroda, was working as a system operator 12kms away from the village, was in love with Naina, Sunil Naik's daughter. Sunil Naik warned Karim to stay away and advised Naina to refrain from meeting Karim.

Raghu Naik (Appellant 3) owed a debt of Rs.20,000/- to Karim but because of his helplessness could not return the said money though he never denied paying off his debt as he needed some time. Raghu and Karim were childhood friends. Raghu knew about Karim and Naina's relationship and gave them his blessing. While he was also aware about the discontent his brother Arun had towards this relation. Karim on several occasions taunted Raghu over the money owed to him and would mock saying that the debt would be forgiven if Raghu would convince Sunil to get Naina married to him. Raghu being in a dilemma thought that if he would hire goons to intimidate Karim to keep distance with Naina and with that fear also let go of the debt owed.

On 8th August, 2010, Raghu Naik invited Karim to collect the debt. Karim reached around 8:30 pm at their house when the family finished dinner. Sunil, Raghu and Arun on hearing whispers from the backyard went to investigate. On seeing Karim and Naina together, Sunil lost his temper and started abusing Karim. Arun bought a lathi from the house and gave blows on Karim's leg. Raghu tried to intervene and pacify the matter. Sunil Naik held Naina during the scuffle. Hearing the noise few people gathered at the scene and started beating Karim and gave him blows on his head and chest injuring him severely. Karim's family reached the spot to rescue him. Karim was taken to the hospital by his family. Medical reports stated that Karim suffered severe injuries on his head and ribs were fractured which led to internal bleeding leaving him in a critical state.

FIR was registered under against Appellant 1, 2 and 3 under Section 325 read with Section 34 IPC. A counter complaint was filed against Karim under Section 447 IPC. Karim was acquitted by JMFC, while Appellants 1, 2 & 3 were convicted and sentenced to imprisonment. Aggrieved by this judgement of Karim's acquittal and their conviction, the Appellants preferred the present appeal.