

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CRIMINAL APPEAL NO.95 OF 2014

Sahebrao Laxman Koli ... APPELLANT

VERSUS

Dagubai Bhagwan Patil & ors. ... RESPONDENTS

.....
Shri A.M. Hajare, Advocate holding for
Shri A.B. Kale, Advocate for appellant
Shri N.R. Bhavar, Advocate for respondents
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CORAM: A.I.S. CHEEMA, J.

DATED: 5th January, 2015.

ORAL ORDER :

1. Heard learned counsel for appellant and learned counsel for respondent. Perused record. The trial Court has considered the evidence which was brought on record by the complainant. It considered that the complainant was unable to show that he had the necessary permissions for the construction. The trial Court considered oral evidence regarding alleged removal of the construction by members of the Grampanchayat. The Court found that there was difference between versions and

there was difference even regarding the exact spot where the construction was taking place. For such reasons, the Court came to the conclusion that the offence was not established and acquitted the accused. Going through the record, the view taken on the given evidence is a possible view. Merely because another view could be possible is no reason to interfere with the acquittal. Admission of the appeal is declined. Appeal is dismissed.

(A.I.S. CHEEMA, J.)

fmp/cr195.14