

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

CRIMINAL APPLICATION NO. 1654 OF 2014

The State of Maharashtra

...Applicant

versus

Satish Mohan Wagh and another

...Respondents

.....
Smt. S.D. Shelke, A.P.P. for Applicant-State

.....
CORAM : A.I.S. CHEEMA, J.

DATED : 12th JANUARY, 2015

Order :-

1. Heard learned Additional Public Prosecutor for applicant-State. Perused the record.
2. Deceased Roshni and accused No.1 got married on 15th April, 2012. She died due to burn in incident dated 25th June 2012. The evidence available and discussed by the trial court shows that victim resided with accused hardly for about 15 days. There is material to show that she was reluctant to go to the place of accused. It is claimed that victim was harassed. The trial court found that there was evidence to show that there was no quarrel between the deceased and accused, and she was residing happily. It appears that victim was unwilling for the marriage. Accused also stated in their statement under section 313 of Code of Criminal Procedure that victim was forcibly sent with them by the relatives. Deceased in her two dying declarations claimed that she accidentally got burnt. The trial court, however, concluded that she committed suicide.

3. The reasoning recorded by the trial court is that accused had not subjected the victim to cruelty and also there is no evidence that they abetted suicide. A.P.P. is unable to show that evidence does not reflect such observations and findings.

4. In this view of the matter, the view taken by the trial Court is possible view of the evidence available and once acquittal is recorded, it would not be appropriate to interfere in the judgment of the trial court. There is no substance in the application. As such, application stands rejected.

Sd/-

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

MTK