

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1907/2014

The State of Maharashtra.

...Applicant..

Versus

Balu @ Pramod Baswant Shinde
& others.

...Respondents...

.....

Shri S.D. Kaldate, APP for applicant - State.

.....

**CORAM: S.S. SHINDE &
A.M. BADAR, JJ.**

DATE: 23.01.2015

ORDER :

1] Heard learned APP for the applicant - State.

2] Perused the findings recorded by the trial Court.

It appears that the prosecution case of cruelty and harassment as contemplated u/s 304-B and 498-A of the Indian Penal Code has not been established by the prosecution. We have carefully perused the original record. The prosecution case is not supported by the mother and sister of the deceased. If the evidence on record is considered in its entirety, in our opinion, the

- 2 -

findings recorded by the trial Court appear to be in consonance with the evidence on record. It further appears from the evidence on record that the relationship between accused and Sangita were cordial. They were living happily. When the father of the deceased visited matrimonial house, he was given proper treatment. All these circumstances have been taken into consideration by the trial Court.

3] In that view of the matter, in our opinion, the view taken by the trial Court is plausible and, therefore, no case is made out for interference. Leave to file appeal is refused. The application stands rejected.

(A.M. BADAR, J.)

(S.S. SHINDE, J.)