

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

CRIMINAL REVISION APPLICATION NO. 371 OF 2001

TUKARAM S/O NAMDEO RAUT

V/S

BHARAT BHAURAO SALUNKE AND ANR.

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Mr. R.K.Temkar, Advocate for the Applicant.

Mr. S.P.Katneshwarkar, Advocate for R-1.

Mr. D.R.Kale, A.P.P. for R-2 State.

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CORAM : V.M.DESHPANDE, J.

DATE : 7th JANUARY, 2015

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PER COURT :

1. Heard Mr. R.K.Temkar, learned counsel for the applicant, Mr. S.P.Katneshwarkar, learned counsel for respondent No. 1 and Mr. D.R.Kale, learned A.P.P. for respondent No. 2 – State.

2. By the present Revision, an exception is taken to the Judgment and Order of acquittal dated 17/02/2001 passed by the learned 2nd Additional Sessions Judge, Beed in

Sessions Case No. 54 of 2000, by which the respondent No. 1 herein was acquitted for the offence punishable u/s 302 of the Indian Penal Code.

3. It is to be noted that the stay application has not been filed in the Appeal against the acquittal.

4. The perusal of the Judgment shows that the prosecution utterly failed to prove that the death was homicidal one and the possibility of the suicide can not be ruled out.

5. The impugned Judgment shows that the learned trial Judge has considered each and every aspect of the prosecution case. The learned counsel for the applicant could not point out any material irregularity or perversity in the matter.

6. In that view of the matter, the present Revision Application is dismissed.

[V.M.DESHPANDE, J.]

KNP/Cr. Revn. Apln. 371.2001