

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

CRIMINAL APPLICATION NO. 6138 OF 2013

The State of Maharashtra ...Applicant

versus

Vinayak Shama Chavan
and others ...Respondents

.....
Mr. K.S. Patil, Addl. Public Prosecutor for Applicant
.....

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

DATED : 15th JANUARY, 2015

Order :-

1. Heard Mr. Patil, learned Additional Public Prosecutor.
2. Perused the record. Also perused the judgment, which shows that the incident of assault took place at about 11.00 p.m. Learned Judicial Magistrate First Class discussed that there was no source of light at the spot of incident. The witnesses had not stated that any words were uttered by the accused in the incident and as accused had not spoken there was no link to identify the accused persons. According to the reasons recorded, the accused had not been duly connected with incident. Judicial Magistrate First Class

discussed that medical evidence in support of evidence of assault was not brought on record and acquitted the accused. Nothing is shown that reasons recorded by the trial court are not borne out of the record.

3. In this view of the matter, there is no ground to interfere in acquittal. Leave declined. Application stands rejected.

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

MTK