

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

CRIMINAL APPEAL NO. 768 OF 2014

Meena Ramdas Thakre .. APPELLANT

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Ms Manisha D. Shinde, Advocate holding for
Shri H.A. Joshi, Advocate for appellant,
Shri K.S. Patil, A.P.P. for State
.....

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

DATED: 8th January, 2015.

ORAL ORDER :

1. Heard counsel for the appellant. Perused record. The judgment of conviction by the trial Court has been set aside in appeal. The case of the appellant is that, her brother-in-law informed that on road certain words had been written in chalk and she sent her husband to see those words. According to the learned counsel, these were defamatory words and the same were written with the intention to insult the modesty of complainant, who is a lady. The complainant filed F.I.R. on the basis of the information of her husband.

2. The judgment of the Sessions Court shows that the complainant had not seen the spot. Her husband has been examined, who had seen the spot with the words written in chalk, but it is not the claim of the husband of the complainant that he had seen the accused writing the same. The appellate Court considered the prosecution case that one Mangesh Kasane had seen the accused writing. However, Mangesh was not examined. The photographs of the spot had been found to have been not duly proved. For such reasons, the Additional Sessions Judge reversed the judgment of the Judicial Magistrate, First Class and acquitted the accused.

3. Looking to the reasons recorded by the Additional Sessions Judge and the evidence as discussed, the learned counsel for the appellant is unable to show that the reasoning of the Additional Sessions Judge cannot be borne out from the record. This being so, the view taken by the Additional Sessions Judge is possible view and I do not find any reason to interfere with the acquittal. The admission of the appeal is declined. Appeal is dismissed.

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