

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. REVISION APPLICATION NO. 61 OF 2002

Arvind Bapusaheb Powar ... Applicant.

V/s.

State of Maharashtra ... Respondent.

None for the Applicant.

Mr. D. R. More, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 27 JANUARY, 2015

P.C. :

1 None for the Applicant. Learned additional public prosecutor Mr. More is heard on behalf of the State of Maharashtra.

2 The Applicant is challenging the order passed by the Special Judge, Gadhinglaj below Exhs. 1 and 44, refusing to discharge the Applicant of the offence punishable under sections 13(1)(d) r/w. Section 13(2) of the Prevention of Corruption Act, 1988. The applicant was working as a Talathi and it was his duty to maintain the land record including the trees on the land. It is alleged against him, that he did not maintain proper record of the land situated at Kitwade Gat nos. 39/2, 39/3, 42/1 and 42/2 and gave a wrong 7/12 extracts to

the accused no. 7 Mr. Karmalkar. On the basis of this wrong 7/12 extracts, the said Karmalkar and other accused could cut number of trees situated on the government land. This resulted in loss of Rs. 3,16,911.25/- to the government and benefit to the other accused. As such the applicant had allegedly by a corrupt or illegal means obtained for himself and others pecuniary advantage.

3 It is the contention of the applicant in his revision application that there was no evidence against him to frame such a charge. I have gone through the papers annexed to the application and I find that there is sufficient material to prima facie indicate that the applicant had committed the offence as alleged. In my opinion, there is no substance in the revision application.

4 The revision stands dismissed. Stay also stands vacated. Record and proceedings, if any, be sent back to the trial court.

(JUDGE)

.....