

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APPA] No. 673 of 2014
IN
Criminal Appeal No. _____ of 2004
[The State of Maharashtra Vs. Ibrahimkhan @ Ibbu Usman Khan]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. T.A. Mirza, APP for Appellant-State.

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**CORAM : A.B. CHAUDHARI AND
P.N. DESHMUKH, JJ.**

DATE : 02nd February, 2015.

This is an application, filed by the State of Maharashtra, for grant of leave to file Appeal against Acquittal against the Judgment and Order dated 14th August, 2014 passed by Sessions Judge, Amravati, in Sessions Case No. 205 of 2012

Heard learned APP Mr. Mirza for the State. Seen the entire evidence placed before us by the Appellant-State. We have also seen the Judgment and Order made by the Trial Judge acquitting the respondent of the offence of murder under Section 302, Indian Penal Code. Upon perusal of the evidence and comparison thereof with the discussion in the Judgment of the Trial Judge, we are of the firm view that the learned Trial Judge made no

mistake in the matter of appreciation of evidence. In our opinion, upon perusal of the evidence and the reasons given by the Trial Court, no other opinion than the one of acquittal, can be formed. The Judgment and Order is based on the evidence which we have compared with the reasons given by Trial Court.

We are fully satisfied that the reasons recorded by the Trial Judge are in consonance with the evidence placed before us by the appellant-prosecution. That being so, we find no merit in the present Criminal Appeal.

In the result, we dismiss both the Application seeking Leave to appeal and the Appeal. Leave is, thus, refused. Appeal is dismissed.

Judge

Judge

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