

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

CRIMINAL APPEAL NO.542 OF 2014

Laxmibai w/o Sanjay Ghone ... APPELLANT

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri M.B. Kolpe, Advocate for appellant
Shri S.M. Ganachari, A.P.P. for State
Shri S.P. Urgunde, Advocate for respondent Nos.2 and 3
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CORAM: A.I.S. CHEEMA, J.

DATED: 4th May, 2016.

ORAL ORDER :

1. Heard counsel for the appellant - original complainant. It is stated that, the respondents - accused have been acquitted by the trial Court erroneously. It is stated, the respondents - accused were claiming to be having partnership in the liquor business, but there are documents like Exhibit 45 available from Excise Office that no partnership was registered with the Excise Office. It is stated that, there was evidence

brought to show that the accused persons were harassing the deceased Sanjay with reference to the liquor business and there were disputes regarding money. The counsel stated that, because of such harassment, the victim committed suicide and the respondents should have been held up for abetment to commit suicide.

2. Going through the material available and looking to the admitted fact, it can be seen that, it was case of civil dispute between deceased Sanjay and the accused persons with reference to the licence of liquor business and the business. The reason appears to be that there was quarrel on the count of money. The counsel has stated that the victim committed suicide on 3.2.2007 by hanging in beer bar named Mayur, which beer bar belonged to the brother of the deceased. The counsel states that, there was no evidence of anybody being present at that time in the beer bar. According to him, the complainant had also gone out of the village on the day concerned.

3. Keeping in view these facts, I do not think that the facts spell out act of abetment to commit suicide. There is nothing shown that the respondents - accused were enticing and

goaded the deceased to commit suicide. In view of this, the reasons recorded by the trial Court of the evidence is possible view and there is no reason to interfere in the acquittal

4. Admission of the appeal is declined. The Criminal Appeal is dismissed.

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

fmp/cr1542.14