

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 3533 OF 2013**

**THE STATE OF MAHARASHTRA
VERSUS
BABASAHEB SHESHRAO ADHUDE AND OTHERS**

...
APP for Applicant : Mr.D.R.Kale
...

**CORAM : A.V.NIRGUDE &
V.L.ACHLIYA,JJ.**

DATED : 7TH JUNE,2016

PER COURT :-

The prosecution has filed this application seeking leave to file appeal against judgment and order dated 9/4/2013 delivered by learned Sessions Judge, Jalna in Sessions Case No.101/2012. The respondents accused were charged for offences like riot and murder. It was alleged that on 29/1/2012, they entered the complainant's house and assaulted the complainant and others including victim Ashabai. Due to the assault, it was alleged that Ashabai died. But during the trial, it was found that Ashabai did not die homicidal death, she died due to Cardiac Arrest. There were some abrasions found on her person. The learned Sessions Judge considered the case from all angles and found that he did not believe the witnesses. On perusal of the judgment, we found the reasonings though rather cryptic, are convincing. We are therefore, not inclined to grant leave to file Appeal. Application for leave to file appeal is dismissed.

(V.L.ACHLIYA,J.)

(A.V.NIRGUDE,J.)

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