

CRIMINAL REVISION APPLICATION NO.179 OF 2015

...Petitioner

The State of Maharashtra & anr. ...Respondents

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DATED : 4th October, 2016

The issue raised in this application is the order passed under Section 94 of the Code of Criminal Procedure in regard to the custody of she-buffaloes given to respondent Chintaman by virtue of order dated 20.7.1994 passed by the Judicial Magistrate, First Class, Bhadgaon, confirmed in Criminal Appeal no.135 of 2006 by the learned Additional Sessions Judge, Jalgaon on 15.9.2015.

2. The ground raised is that the orders passed by the Courts below are based on affidavit or the evidence and there is hardly any documentary evidence on record to hand over the custody of she-buffaloes. Prima facie, it is required to be noted that both the Courts below have concurrently held against the present petitioner qua the custody of she-buffaloes.

3. In view of above, in my opinion, no case for interference in the Revisional jurisdiction is made, as the view taken by the Courts below is a possible view.

4. Criminal Revision Application stands dismissed.

(N.W.SAMBRE, J.)

dbm/crra179.15