

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

CRIMINAL APPLICATION NO. 5866 OF 2015

**THE STATE OF MAHARASHTRA
VERSUS
NANA @ DNYANESHWAR BABURAO & ORS**

**...
APP for Applicant : Mr.A.R.Borulkar
Adv.Mr.Sanket Kulkarni for R.1 and 2.
Adv.Mr.P.B.Patil for R.3 & 4.
...**

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

DATE : 29/07/2016

PER COURT :- [Per V.L.ACHLIYA,J.]

Mr.Kulkarni, learned counsel submits that respondent no.2 viz. Sonal More is expired on 10/5/2015. Copy of the death certificate is produced which is taken on record.

2] Heard learned APP on the point of grant of leave to file appeal against the judgment and order of acquittal passed by learned Additional Sessions Judge, Dhule, on 20/8/2015 in Sessions Case No.10/14.

3] We have perused the impugned judgment. We are of the view that the judgment is well reasoned and based upon close scrutiny of

the evidence adduced in the matter. The case is based upon circumstantial evidence. The learned Judge of the trial Court has duly considered the evidence on record and arrived at a decision that the prosecution has failed to prove its case to establish the guilt against accused. In our view, the reasons and findings recorded are in consonance with the material on record. No case is made out to entertain the appeal. Hence, application seeking leave to appeal is rejected.

(V.L.ACHLIYA,J.)

(A.V.NIRGUDE,J.)

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