

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 665 OF 2015

Rohan Sanjay Shelke.

..Appellant.

Versus

State of Maharashtra & Others.

..Respondents.

Mr. B. K. Barve, Sandeep Barve & Santosh Wagh i/b B. K. Barve & Co., for the Appellant.

Mrs. M. M. Deshmukh, learned APP for the State.

Coram : RANJIT MORE &
S. C. GUPTA, JJ.

Date : **January 21, 2016.**

P. C. :

1. Heard the learned Counsel appearing for the Appellant. In this appeal, the original complainant has taken exception to 3rd Respondent's acquittal in Sessions Case No.152 2013, who was tried by the learned Additional Sessions Judge, Satara for the offence punishable under sections 302 and 201 of the Indian Penal Code, 1860.

2. It was the case of the prosecution that accused – Respondent No.3 herein was suspecting that deceased had illicit relationship with his wife and for that reason committed murder and caused disappearance of the evidence by concealing the

clothes and weapons.

3. The prosecution examined as many as 11 witnesses, including one Savita, wife of the accused. The evidence of other 10 witnesses is not of much relevance. Savita is the star witness and prosecution claims that she has witnessed the incident. Savita did not support the prosecution case, and was therefore declared hostile and cross-examined at length. But nothing fruitful came out from her deposition which would support the prosecution case. In the absence of any legal evidence, the learned Sessions Judge has acquitted Respondent No.3 of all the charges. We find that the learned Judge has given cogent reasons in support of his order. We do not find any error or perversity in the reasoning adopted by the learned trial Judge. The view taken by the learned Sessions Judge is a possible view. We are, therefore, not inclined to entertain this appeal and the same is accordingly dismissed.

[S. C. GUPTE, J.]

[RANJIT MORE, J.]