

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 337 OF 2015
IN CRIMINAL APPEAL NO. OF 2015

(The State of Maharashtra thr. PSO, Risod, Dist. Washim vs. Madhav Dagdu Shahane)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.
NOVEMBER 23, 2016.**

Shri V.A. Thakare, learned APP for the applicant
and Shri S.K. Bhandarkar, learned counsel for the non-
applicant.

The evidence of Manisha (PW-9) examined as
Prosecution Witness in support of her father-in-law, by her
husband, has in cross examination stated that her husband
resided at Risod. The evidence of brother of the accused
(other son of the deceased) also shows that the accused was
not residing with his father. This brother has brought on
record illicit relationship between his father and PW-9.

Though the trial Court found both the dying
declarations consistent, it has on the strength of material on
record, recorded a finding that the accused was not staying
at Haral. The incident has taken place at 11.00 PM. In this
situation, we find nothing on record to hold that the said
finding of the trial Court is in any way perverse.

No case is, therefore, made out. Leave rejected.
Criminal Application is disposed of.

JUDGE

JUDGE