

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 510 OF 2015

IN

CRIMINAL APPEAL NO. OF 2015

(THE STATE OF MAH. THR. PSO PS CHIMUR, CHANDRAPUR...VS..JAKIR JABIR QURESHI)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MARCH 17, 2016.

Heard Shri S.S.Doifode,A.P.P. for the appellant /
State of Maharashtra and Shri A.C.Jaltare, advocate for the
respondent.

The State of Maharashtra has filed this appeal
challenging the judgment passed by the learned Special Judge
acquitting the respondent of the charge of commission of
offence under Section 7 punishable under Section 8 of the
Protection of Children from Sexual Offences Act, 2012 and
Sections 452 and 354-A(1)(i) and 506 of the Indian Penal
Code.

The learned A.P.P. has referred to the evidence of
the victim and the findings recorded by the learned Special
Judge. It is submitted that the learned Special Judge has
committed an error by recording acquittal only because of
some omissions in the statement of the victim.

After examining the evidence on the record and
the findings recorded by the learned Special Judge, I find that
the learned Special Judge has considered all the material and
relevant evidence in *extenso* and the findings recorded by the

learned Special Judge that the prosecution has failed to prove its case beyond reasonable doubt cannot be faulted with.

I see no reason to consider the application under Section 378(3) of the Code of Criminal Procedure. The prayer is accordingly rejected. Consequently the appeal is dismissed.

JUDGE

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