

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 CRIMINAL APPLICATION NO. 3253 OF 2016

THE STATE OF MAHARASHTRA
VERSUS
SIKANDAR KUTUBUDDIN SHAIKH

...
APP for Applicant : Shri S. W. Munde

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CORAM : P.R. BORA, J.
DATE : 28-08-2017.

P.C. :

1. Heard learned APP. Perused the impugned judgment. Respondent was prosecuted for the offence punishable under Section 7 and 13 (1)(d) read with 13(2) of the Prevention of Corruption Act, 1988.

2. It was alleged that the respondent i.e. original accused had demanded Rs.200/- by way of bribe for providing extract of 7/12 of the land Block No. 59 for the year 1952 to 1954. However, on perusal of the evidence of the complainant, it is apparently revealed that complainant himself was not sure whether the amount as was demanded by the accused was the fees for the 7/12 extracts or by way of bribe. It was the specific defence raised by the accused that the amount was demanded by him towards copying fees. While analyzing the evidence on record, the learned Special Court has recorded a finding that no such evidence has come on record so as to conclusively hold that the amount as was

demanded and accepted by the accused was by way of bribe and not towards copying fees. The circumstance in favour of the accused has been accepted by the learned Special Court.

3. Apparently it does not appear to me that any error has been committed by the learned Special Court. It does not appear to me that any case is made out by the applicant for granting leave to appeal against the impugned judgment. Hence, the following order.

ORDER

1. The Criminal Application is rejected.

(P.R. BORA)
JUDGE