

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CRIMINAL APPLICATION NO. 3445 OF 2016

THE STATE OF MAHARASHTRA
VERSUS
ANITA RAMKRUSHNA PATIL

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APP for Applicant : Shri. S. R. Yadav
Advocate for Respondent : Shri. Deshpande C. R.

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

P.C. :

1. Heard learned APP and learned Counsel appearing for the respondent i.e. original accused.

2. It was the case of the prosecution that the original complainant had made an application to the office of Deputy Superintendent, Land Record, Nawapur for getting city survey extracts of certain properties. It was alleged that the accused who at the relevant time was working as a clerk with the office of Deputy Superintendent, Land Record, Nawapur accepted the said application made by the complainant. However, it was further alleged that the accused while accepting the application told the complainant that if he wants the city survey extracts to be made available to him urgently, then he will have to pay Rs.2,000/-to her in addition to the government fees. On such allegations, the complaint was made and the further procedure was carried out. However, during the course of the trial, the complainant did not support the case of the prosecution and the other evidence which has

come on record was also found not to be trustworthy by the learned Special Judge.

3. I have carefully perused the impugned judgment. The learned Special Court has recorded finding that the prosecution has failed in proving that there was any demand from the side of the accused and has also failed in proving that the amount allegedly accepted by the accused was in compliance with the said demand and can be held to be amount of bribe. It does not appear to me that the Trial Court has committed any error in recording such finding. No such ground is made out in the memo of appeal so as to take any contrary view. I, therefore, do not see any reason for allowing the application. Hence, the following order.

ORDER

1. The Criminal Application is rejected.

**(P.R. BORA)
JUDGE**