

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.437 OF 2017

**MUNICIPAL CORPORATION GREATER)
BOMBAY)...APPLICANT**

V/s.

MAHAVIR BHANWARLAL JAIN AND ORS.)...RESPONDENTS

Mr.Mohit Jadhav a/w. Kamal Waghmare i/b. Jernald Xavier,
Advocate for the Applicant.

Mr.Y.M.Nakhwa, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 13th DECEMBER 2017

P.C. :

1 Heard the learned advocate appearing for the applicant at sufficient length of time. Perused the Record and Proceedings made available. I have also perused the impugned judgment and order of acquittal recorded by the Metropolitan Magistrate, Mumbai. I am of the considered opinion that the learned trial court has examined all aspects of the matter and adjudicated that the evidence adduced by the prosecuting agency

is not sufficient to bring home the guilt of the accused for the offence under Section 381 punishable under Section 471 of the Mumbai Municipal Corporation Act, 1888. Hence, I see no reason to interfere with the impugned judgment and order of acquittal.

The application is, therefore, rejected.

(A. M. BADAR, J.)