

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

CRI. APPLICATION (APPA) NO. 122 OF 2016

(JAIPRAKASH ARJUN TELANG...VS.. STATE OF MAH. THR. APP NAGPUR & OTH)

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

Court's or Judge's orders

Shri Mahesh Rai, Advocate for Applicant/Appellant.
Shri V.A.Thakare, A.P.P. for N.A./Respondent No.1.
Shri G.R.Kothari, Advocate for N.A./Respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : JUNE 28, 2017.

The appellant has filed appeal under Section 372 of the Code of Criminal Procedure to challenge the judgment passed by the Sessions Court by which the complaint of the appellant filed against the respondent No.2 seeking conviction of the respondent No.2 for the offence punishable under Section 3(1)(xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 504 and 506 of the Indian Penal Code is dismissed and the respondent No.2 is acquitted. Though the notes of evidence of witnesses are not placed on record, the learned advocate for the appellant has made available the photocopy at the time of hearing.

After examining the evidence of the complainant-Jaiprakash and after considering the submissions made by the learned advocate for the appellant, the learned advocate for the respondent No.2 and the learned A.P.P., I find that the conclusions of the learned Ad-hoc Additional Sessions Judge that the complainant has not been able to substantiate his claim and the evidence of the complainant and his witness is not cogent, reliable and trustworthy, cannot be faulted with.

I see no reason to grant the prayer made by the applicant for grant of leave to file appeal.

The application is **dismissed**, consequently, the appeal filed by the appellant is **rejected**.

JUDGE

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