

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

CRIMINAL APPEAL NO.243 OF 2016

[Vijay s/o Kanhaiyalal Sarvaiya .vs. The State of Maharashtra and others]

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

Court's or Judge's orders

CORAM : KUM. INDIRA JAIN, J.

DATED : APRIL 03, 2017.

Heard Shri Girdekar, learned counsel for appellant and Ms. Udeshi, learned Additional Public Prosecutor for respondent no.1-State.

Perused judgment and order of acquittal in Sessions Trial No.56/2007 dated 13.4.2016 passed by the learned Additional Sessions Judge, Darwha acquitting respondent nos.2 to 7 of the offence punishable under Section 306 r/w 34 of the Indian Penal Code.

The crux of prosecution case lies in the suicide note allegedly left by deceased and seized by investigating agency at the time of recording inquest panchanama. Admittedly, the said suicide note was not brought before the court and in absence of suicide note, Trial Court found that the case of abetment is not established against the accused persons.

No perversity or illegality is noticed in the order of the Trial Court. No case for interference is made out. Appeal stands dismissed. No costs.

JUDGE