

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

CRIMINAL REVISION NO.86/2017

Ashfaque Khan ..vs.. State of Maharashtra through PSO P. S. Akot, Akola

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

Court's or Judge's orders.

Mr. R. J. Shinde, Advocate for applicant.
Mrs. M. H. Deshmukh, A.P.P. for respondent-State.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 28,2017

This revision is challenging an order passed by the learned Additional Sessions Judge, Akot dated 29.06.2017 by which the learned Sessions Judge rejected the application below Exh.-60 in Sessions Trial No.10/2012.

Heard Mr. Shinde, learned counsel for the applicant. He submits that except the statement of the co-accused there is no other evidence available against the present applicant. The learned counsel made available a copy of the charge-sheet. Perusal of the charge-sheet shows that the submission of Mr. Shinde, learned counsel for the applicant is incorrect. There is a statement of one Bhaskar who is servant of the main accused Dr. Rathod. His statement shows that as per the plan of Dr. Rathod, the present applicant accompanied him and they made a phone call to other accused and demanded good quality of notes from one Narayan who

is also one of the accused so that it will be easy for them to circulate the same in the market. There are statements of other witnesses also pointing out the name of the appellant.

The charge can be framed even on the grave suspicion. It is not necessary that at the time of framing of the charge, evidence should be beyond reasonable doubt.

In that view of the matter, I find no substance in the present revision. The same is therefore rejected.

JUDGE