

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 23 OF 2018

The State of Maharashtra

....Applicant.

Vs.

Ramesh Vishnu Khedaskar & Ors.

....Respondents.

Mr. A.R. Kapadnis, APP for the Applicant-State.
None for the Respondents.

CORAM : A. S. GADKARI, J.

DATE : 3rd APRIL, 2018.

P.C.:-

This is an Application under Section 378 (3) of Cr.P.C. for leave to file Appeal against the Judgment and Order dated 26th May, 2015 passed by the learned Judge, Special Court, Ratnagiri in Special Case No. 12 of 2014, thereby acquitting the Respondents from the offences punishable under Section 3(1)(x) read with Section 6 of the Scheduled Caste and Scheduled Tribes (Prevention) of Atrocities Act, under Section 7(i)(d) read with Section 10 of the Protection of Civil Rights Act, 1955 and under Sections 323, 354, 504, 506 and 509 read with Section 34 of the Indian Penal Code, 1860.

2 Heard the learned APP and perused the record.

3 The evidence on record clearly reveals that the First Information Report (Exhibit 25) is silent about the alleged abuses hurled by the Respondents to the first informant Smt. Vaishnavi Khedaskar. There are material improvements in the evidence of PW 1 i.e. first informant. The witnesses of the alleged incident i.e. mother-in-law and the husband of the first informant did not support the version of the first informant and there are material contradictions in their evidence also. The evidence of witnesses further indicates that, the same is full of material contradictions and improvements.

 The trial Court has acquitted the Respondents for the aforesaid reasons.

4 After perusing the record, this Court is of the opinion that the view adopted by the Trial Court is a reasonable and probable view in the facts and circumstances of the present case.

 No case for leave to file Appeal is made out.

5 Application is accordingly rejected.

(A.S. GADKARI, J.)