

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 176 OF 2017
Suryakant B.Shirdhonkar vs. Arjun S. Shelake and ors.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Anant Vadghaonkar for the Applicant.

Ms. PN.Dabholkar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 01st March, 2018

P.C.

1. This is an application under Section 378(4) of the Cr.P.C. for leave to file appeal against the Judgment and order dated 24.1.2017 passed in RCC No.209 of 2011 by the learned Judicial Magistrate First Class, Mohol, District Solapur thereby acquitting the respondents from the offence punishable under Section 420 read with 34 of the Indian Penal Code.

2. Heard the learned counsel for the applicant and the learned APP. Perused the record.

3. The record indicates that the applicant has failed to produce the original sale deed on record at the time of

trial. That, the applicant also did not produce any evidence which would disclose an offence under Section 420 read with 34 of the Indian Penal Code against the respondents. The Trial Court has recorded a finding that in absence of any evidence it is highly impossible to believe that the respondents have cheated the applicant.

4. After perusing the record, this Court is of the opinion that the view adopted by the Trial Court is a probable view in the facts and circumstances of the present case while passing the impugned order. No case for grant of leave is made out.

5. Application is accordingly rejected.

(A.S.GADKARI, J.)