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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 278 OF 2015

Mehrunis Mohammad Kasim Mukaddam

..Applicant

Vs

The State of Maharashtra & Ors.

..Respondents

Mr. Harshad Sathe for applicant.

Mr. V.V. Gangurde, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 5th APRIL 2018.

P.C.:

1] This is an application under Section 378 (4) of Cr. P.C. seeking leave to file an appeal against the Judgment and Order dated 12th January 2015 passed by the Judicial Magistrate First Class, Dapoli in Summary Criminal Case No.16 of 2010, thereby acquitting the respondent Nos. 2 to 5 for the offence punishable under Sections 504, 506 read with 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant. Perused the record.

3] The evidence on record clearly indicates that, there is a delay of about one month in lodging the said complaint. The applicant in her cross-

examination has admitted that there was enmity between her and the respondents over the landed property and various cases are pending inter-se between the parties. She has further admitted that, on the date of incident she was able to approach the concerned Police Station, however, she did not do so. There is variance and/or material contradictions in the evidence of alleged eye-witnesses cited by the applicant in support of her case. The evidence further indicates that the applicant has failed to prove the charges levelled against the respondents beyond reasonable doubt by adducing sufficient and cogent evidence in that behalf.

4] After perusing the entire 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.

5] No case for grant of leave to file appeal is made out.

Application is accordingly rejected.

(A.S.GADKARI, J.)