

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

CRIMINAL APPLICATION (APPA) NO. 696/2018
AND
CRIMINAL APPEAL NO. _____/2018

Sangita Keshav Meshram

..VS..

Dhananjay @ Jaya Gulabrao Devarkar & anr.

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : 28/09/2018

Heard Shri A. Anantkrishnan, Advocate holding for Shri P. Dharaskar, Advocate for the applicant/appellant and Ms. S.V. Kolhe, learned APP for the non-applicant/respondent no. 2.

This appeal is filed by the original complainant to challenge the judgment passed by the Sessions Court acquitting the respondent/accused of the charge of commission of the offences punishable under Section 354A of the Indian Penal Code r/w Section 3 (1) (xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to the complainant (aged about 39 years) on 16/11/2014 at about 11:30 pm, the accused had been to the house of the complainant and uttered "Dave Bhau, Dave Bhau" (name of the employer of the complainant) and when the victim went to the door, the accused said that he would commit rape on her and then fled away.

On the basis of the complaint lodged by the victim on the next morning, the investigation was undertaken and the accused came to be prosecuted. After the trial, the Sessions Court has recorded that the prosecution has failed to prove its case and has acquitted the accused.

After going through the impugned judgment, I find that the learned Sessions Judge has exhaustively dealt with the evidence on record. The applicant/appellant has not been able to point out any illegality or perversity in appreciation of evidence on record by the Sessions Court.

I see no reason to interfere with the impugned judgment.

The application is **dismissed**. Consequently, the appeal is **rejected**. No costs.

JUDGE

Ansari