

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Revision Case No.1786 of 2006

ORDER:

This Criminal Revision Case, under Sections 397 & 401 of the Code of Criminal Procedure, 1973, is filed by the petitioner/de-facto complainant, challenging the judgment, dated 07.09.2006, passed in S.C.No.372 of 2005 by the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad, whereby, the respondents 1 to 6 herein/A.1 to A.6 were not found guilty of the offence punishable under Section 395 IPC and were acquitted accordingly.

2. Heard the learned counsel for the petitioner/de-facto complainant, learned Assistant Public Prosecutor representing the 7th respondent-State and perused the record.

3. The learned counsel for the petitioner/de-facto complainant would submit that the Court below ought to have convicted the respondents 1 to 6 herein/A.1 to A.6. There is ample evidence on record to prove the guilt of A.1 to A.6. Further, there is consistency and corroboration in the evidence of prosecution witnesses. The Court below erred in acquitting A.1 to A.6 of the offence punishable under Section 395 IPC and ultimately prayed to set aside the judgment of acquittal.

4. It is evident from the record that the Court below had examined the oral and documentary evidence available on record and reached to

a correct conclusion. The findings of the Court below are based on record. There is a presumption under law that an accused is presumed to be innocent unless his guilt is proved beyond all reasonable doubt. That presumption is further strengthened by the order of acquittal recorded by the trial Court. There is nothing to take a different view. There is no miscarriage of justice. The Criminal Revision Case is devoid of merit and is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Revision Case, shall stand dismissed.

26th April, 2018
Bvv

Dr. SHAMEEM AKTHER, J

