

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

CRIMINAL WRIT PETITION NO. 864 OF 2019

Pramod Sakharam Sagare

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Ms. Rati Sinhasane i/by. Mr. Umesh R. Manakpure for the Petitioner.
Mr. Vinod Chate, APP for Respondent – State.

CORAM : S.S. SHINDE, J.

DATE : 13th AUGUST 2019

P.C.:

1. Heard learned counsel appearing for the Petitioner. Learned counsel appearing for the Petitioner submits that, while purchasing the vehicle Accused Nos. 2 and 3 produced the Insurance Policy and relying upon the said document petitioner purchased the vehicle. It is submitted that, Petitioner has paid the amount of Rs. 3,50,000 (Rs. Three Lakh Fifty Thousand Only) to purchase the vehicle, therefore, neither *mens rea* nor any commission of offence can be attributed to him. Learned counsel appearing for the Petitioner relying on the pleadings in the petition and annexures thereto submits that, Petition deserves consideration.

2. Perused the reasons assigned by the District Judge – 2 and Additional Sessions Judge and in particular paragraph no. 7. It appears that, the vehicle which has been purchased by the Petitioner belongs to the ownership of one Mr. Lalasaheb B. Patil and, even the copy of the Insurance Policy on which reliance has been placed by the learned counsel appearing for the Petitioner, in the column of Insured name, name of Lalasaheb B. Patil is mentioned. Therefore, findings recorded by the Sessions Court in the impugned judgment and in particular paragraph no. 7 thereof, appears to be in consonance with the material placed on record, including averments in the complaint filed by the said Lalasaheb B. Patil.

4. In that view of the matter and, when there is no perversity in the reasons / findings given by the Sessions Court, no case is made out to cause interference in the impugned order. Hence, Writ Petition stands rejected. No order as to costs.

(S.S. SHINDE, J.)