

BDP-SPS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 139 OF 2019
(For leave to Appeal)**

The State of Maharashtra Applicant.
(Orig. Complainant)

V/s

Sandip Krishna Ghawali Respondent.

Mr. S.V. Gavand, APP for the State.

CORAM: NITIN W. SAMBRE, J.

DATE: NOVEMBER 19, 2019

P.C.:-

1] With the assistance of learned APP, perused the evidence as is made available.

2] The victim claims to have attended the School from 10.30 A.M to 5.00 P.M. and still it has been claimed that she had gone for purchase of Kerosene Oil at 12.30 P.M. on 18/04/2013 when the alleged incident took place. The alleged event of purchase of Kerosene was not proved by the prosecution by adducing either documentary or oral evidence. Apart from above, delay of four days in lodging FIR is also not explained. The view expressed by the Court

below for acquitting the accused is therefore a possible view. Hence, leave is refused.

(NITIN W. SAMBRE, J.)