

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

**APPLN FOR LEAVE TO APPEAL (STATE) NO. 94 OF 2015**

The State of Maharashtra ... Appellant

Versus

Mohammad Ahamad Shaikh and anr. ... Respondents

Mtr.J.P.Yagnik, APP for the State.

**CORAM : B.P. DHARMADHIKARI &  
MRS.SWAPNA S.JOSHI, JJ.  
DATE : AUGUST 16, 2019**

**P.C.:**

State Government is before this Court seeking leave under section 378(3) Cr.P.C. to challenge the judgment dated 12/5/2015 delivered by the Special Judge, Solapur in S.C. No. 203 of 2013.

2. We have perused the judgment of the trial court as also deposition of PW 1 and PW 2. The Medical evidence does not support the story narrated by them. On the contrary it is against that story. Not only this, the admissions in the cross examination show attempts made by PW 1 to steel money or to run away from the custody of the parents.

3. Both, father and mother were accused by PW 1 and 2

minor sisters.

4. We do not see any perversity in consideration of the evidence by the Special Court. No case is made out. Leave is rejected.

**(MRS.S.SWAPNA JOSHI, J.)**

**(B.P. DHARMADHIKARI, J.)**