IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1408 OF 2003

The State of Maharashtra)….Appellant
V/s.
Sunil Bapu Gavade & Ors.)....Respondents

Ms.Anamika Malhotra APP for the appellant-State.
Mr.Digvijay S.Patil i/by Rahul S.Kate for respondents.

CORAM : K.R.SHRIRAM,J
DATE : 13.2.2020

P.C.:-

1. This is an appeal challenging an order and judgment dated 18.8.2003 passed by the JMFC, Phaltan, by which the present respondents who are accused nos.3 & 4 were acquitted of offences punishable under Sections 323, 324, 504, 506 read with section 34 of the Indian Penal Code. The original accused nos.1 & 2 were convicted for various periods and fines as mentioned in the impugned judgment.

2. In this appeal, we are concerned only with the order of acquittal against the respondents.

3. Ms.Malhotra learned APP true to her role as an officer of the Court states that the view taken by the trial Court to acquit the

original accused nos.3 & 4 is a possible view and it is settled law that in an appeal against order of acquittal if two views are possible, the appeal Court should not interfere. Learned APP submits that in view thereof, the order of acquittal need not be interfered with and the appeal can be dismissed.

4. Appeal dismissed.

(K.R.SHRIRAM,J)

KJ