

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Criminal Revision Application (REVN) No. 86 of 2020

Santosh Gulabrao Milkhe Vs. State of Maharashtra Through Anti Corruption
Bureau, Akola

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.V. Sirpurkar, Advocate for the applicant.
Ms. M.A. Barabde, APP for the respondent.

CORAM : MANISH PITALE, J.

DATED : DECEMBER 16, 2020

By this application, the applicant has challenged order dated 06/01/2020, whereby application for discharge filed by the applicant was dismissed. In the present case offences under Sections 7, 10, 12, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988, have been registered against the applicant as per FIR dated 28/02/2015. The investigation was completed and the chargesheet was filed. At this stage, the applicant moved the application for discharge, contending that the material brought on record pursuant to the investigation was not sufficient for framing charges against the applicant.

2. Although the learned counsel appearing for the applicant submitted that the present application

could be considered by this Court, but, a perusal of the material on record indicates that the Court below has given its thoughtful consideration to the contentions raised on behalf of the applicant. Thereafter, findings have been rendered against the applicant on the question of discharge. The Court below has found that the trace of anthracene powder was found on the hands of applicant and voice sample of the applicant also matched with the conversation recorded at the time of execution of the trap. Although the observations made by the Court below at this stage are only *prima facie* in nature, this Court is of the opinion that no fault can be found with the findings rendered by the Court below and no case for discharge was made out by the applicant.

3. In view of the above, the application is dismissed.

JUDGE