

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

12 APPLN. FOR LEAVE TO APPEAL BY STATE NO.62 OF 2021

THE STATE OF MAHARASHTRA
VERSUS
VINOD BABURAO SINGEWAR

...

APP for Appellant : Mr. R. D. Sanap
Advocate for Respondent: Ms. Shilpa R. Aurangabadkar
h/f Mr. S. S. Jadhav

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/10/2023.**

P. C. :

1. Heard rival submissions.
2. The applicant / State through Anti-Corruption Bureau, Nanded, is seeking leave to challenge the acquittal of the respondent / accused, who has been discharged from the charge under Section 7 r.w. 13(1)(d) and 13(2) of Prevention of Corruption Act vide judgment and order dated 16/03/2021 in Special (ACB) Case No. 3 of 2015 passed by the learned Special Judge, Biloli, District : Nanded.
3. The impugned judgment as well as the depositions on record clearly indicate that though the PW-1 complainant Vilas Patil deposed before the court that the respondent / accused demanded bribe of Rs.2,500/- from him, but in the cross-examination itself he has admitted that he handed over the said amount to the

respondent / accused not as a bribe but as a payment of tax in respect of land of his mother. The learned trial court has also observed this aspect in the judgment itself while acquitting the respondent / accused. In view of such admission of the informant himself, there appears no perversity in the judgment of the learned trial court. Therefore, no case is made out for granting leave as prayed. In the result, the application stands rejected and disposed of.

(SANDIPKUMAR C. MORE, J.)