



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

CRIMINAL APPEAL NO. 725 OF 2024

XYZ
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Adinath B. Jagtap, Advocate for Appellant
Mr. D.B. Bhange, APP for Respondent No.1/State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 13th AUGUST, 2024

PER COURT :

1. By this appeal filed under Section 372 of Code of Criminal Procedure, informant/victim challenges judgment and order of acquittal dated 01/06/2024, passed by learned Special Judge [Under SC/ST(Prevention of Atrocity) Act], Newasa, in Special Case No.49/2020.
2. Learned advocate for appellant assailed the impugned judgment contending that Trial Court has wrongly appreciated evidence on record and has erroneously proceeded to acquit respondent No.2/accused.
3. Learned APP, on the other hand, submits that appropriate order as per the record may be passed.
4. Perusal of impugned judgment and order shows that FIR was belatedly lodged after four days and the delay is not satisfactorily explained. It is the contention of appellant that an unknown person had outraged her modesty and intimidated her and

she identified him from the cell phone of her brother. Her brother is not examined. Husband of appellant has not commented on the role of accused and as to how he knows accused. Also, appellant has not identified accused by name. On appreciation of evidence, Trial Court has accepted the defence of accused that he is implicated in the crime without any reason and just to grab compensation amount from Government, in case under Atrocity Act.

5. View taken by the Trial Court is possible view. Trial Court has properly appreciated the evidence on record. No case is made out by appellant to interfere in the impugned judgment and order of acquittal. Appeal being devoid of merit is dismissed.

(NITIN B. SURYAWANSHI, J.)