

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL APPEAL (AGAINST ACQUITTAL) NO. 3042 of 2025**

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BHATI POPATSINH SAJJANSINH  
Versus  
STATE OF GUJARAT & ORS.

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Appearance:

MR. SHIVAM N THAKKAR(10024) for the Appellant(s) No. 1  
PUBLIC PROSECUTOR for the Opponent(s)/Respondent(s) No. 1

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**CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**  
and  
**HONOURABLE MR.JUSTICE D. M. VYAS**

**Date : 20/03/2026****ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

Mr Shivam N. Thakkar, learned advocate for the appellant submitted that the FIR was lodged and in the FIR itself, the accused were named; however, subsequently, a video was surfaced and that is how, there was addition of further three names. It is submitted that the video which was produced on the record by way of an evidence, is not believed only on the count of non-availability of the certificate under section 65B of the Indian Evidence Act, 1872. It is submitted that there were more than three eye witnesses; however, only one was examined. It is submitted that the Court below, has not given due weightage to the medical evidence, which conclusively established that the death of the deceased was homicidal in nature, causing multiple, sharp and blunt injuries.

2. It is further submitted that there lies a fallacy in the opinion of the learned Judge inasmuch as, the learned Judge converted

reasonable differences of recollection in a reasonable doubt when the totality of evidence pointed out logically to the guilt.

3. Considered the submissions. **Admit.**

4. Ms Divyangna Jhala, learned Additional Public Prosecutor waives service of notice of admission on behalf of the respondent no.1. For rest of the respondent, bailable warrant be issued for a sum of Rs.10,000/- each.

**(SANGEETA K. VISHEN,J)**

**(D. M. VYAS, J)**

BINOY B PILLAI