

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO.668 OF 2007

BHANUDAS NATHA MOHITE

Appellant (s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

Date: 13/02/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE G.S. SINGHVI

For Appellant(s) Mr. Bhaskar Y. Kulkarni,Adv.

For Respondent(s) Mr. Ravindra Keshavrao Adsure,Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

The criminal appeal is dismissed.

[T.I. Rajput] [Om Prakash]
A.R.-cum-P.S. Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.668 OF 2007

Bhanudas Natha Mohite

...Appellant(s)

Versus

State of Maharashtra

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

The sole appellant was convicted by the Trial Court under Section 302 of the Indian Penal Code and sentenced to undergo imprisonment for life and to pay fine of Rs.500/-; in default, to undergo further imprisonment for a period of fifteen days. On appeal being preferred, the High Court confirmed the conviction. Hence, this appeal by special leave.

In the present case, the conviction of the appellant is based upon the evidence of Smt. Chandrabhagabai (P.W.4), who is an eye-witness to the occurrence, and immediately after the occurrence, she disclosed about the same to Asha Bhanudas Mohite (P.W.2), who is nobody else than her grand daughter. The evidence of these two witnesses is corroborated by the medical evidence. In our view, the High Court was quite justified in upholding the conviction of the

appellant and rejected the case of the defence in relation to/ the plea of

....2/

-2-

insanity as for proving the same, the defence has not adduced any evidence whatsoever. This being the position, no ground for interference is made out.

Accordingly, the criminal appeal fails and the same is dismissed.

.....J.
[B.N. AGRAWAL]

.....J.
[ALTAMAS KABIR]

.....J.
[G.S. SINGHVI]

New Delhi,
February 13, 2008.