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ITEM NO.107

COURT NO.3

SECTION IIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO. 780 OF 2009

GANESHSINGH RAJESINGH GIRASE

Appellant (s)

VERSUS

STATE OF MAHARASHTRA  
(With office report)

Respondent(s)

Date: 06/11/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE MR. JUSTICE RANJAN GOGOI

For Appellant(s) Mr. J.M. Khanna, Adv. (SCLSC)  
Ms. Shefali Sethi, Adv.  
Mr. Harkesh Chand Aggarwal, Adv.

For Respondent(s) Mr. Shankar Chillarge, AGA Maharashtra  
Ms. Asha G. Nair, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The appeal is dismissed.

[ Usha Bhardwaj ]  
Court Master

[ Savita Sainani ]  
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO.780 OF 2009

Ganeshsingh Rajesingh Girase .....Appellant  
Versus  
State of Maharashtra .....Respondent

O R D E R

Heard both sides.

The accused who was convicted under Section 302 of the I.P.C. and sentenced to undergo life imprisonment is the appellant before us.

The prosecution heavily relied upon the evidence of P.W.1 who is the wife of the deceased. Though all other prosecution witnesses are turned hostile, the Trial Court relied upon the evidence of P.W.1, recovery of axe and the medical evidence and convicted the appellant.

The High Court once again marshalled the entire evidence of P.W.1 and came to the conclusion that the same is reliable and acceptable. We were also taken through the evidence of P.W.1 and other connected materials. We agree with the conclusion arrived by the Trial Court and affirmed by the High Court. Though counsel for appellant has pointed out that P.W.1 has improved her statement at the later point of time, on verification, we are of the view that the same could not affect the ultimate conclusion arrived by the Trial Court. On the other hand, we also fully endorse the decision arrived by the High Court.

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Consequently, the appeal fails and the same is dismissed accordingly.

.....J.  
( P.SATHASIVAM )

.....J. ( RANJAN

GOGOI )  
NEW DELHI;  
NOVEMBER 06, 2012.

