

Criminal Application No. 1963.10

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

CRIMINAL APPLICATION NO.1963 OF 2010

The State of Maharashtra ... APPLICANT

VERSUS

Ravindra Maroti Kamble ... RESPONDENT

.....

Shri B.J. Sonwane, APP for the applicant
Smt. S.S. Jadhav, Advocate for respondent

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CORAM : U.D. SALVI, J.

DATED : 30th August, 2011.

PER COURT :

1. Heard. Perused.
2. Acquittal of the respondent / accused Under Section 7, 13(1) (d) read with 13(2) of the Prevention of Corruption Act, 1988, has been result of two things.

I] Doubtful evidence concerning the acceptance of the bribe amount.

II] Invalid sanction.

Learned Advocate for the accused, submitted that the sanction was mechanically granted, in as much as, the concerned Ministers

Criminal Application No. 1963.10

merely appended their signatures to the note put up by the Law & Judiciary Department, and the cash was found with powder of anthracene with the tainted notes in the drawer of the table of the accused, Judgment reported **1977 Cri.L.J. 4059 Mansukhlal Vithaldas Chauhan V. State of Gujarat**, is cited to put-forth a premise that sanction granted pursuant to the directions of the High Court is invalid.

3. In the present case, the note put by the Law & Judiciary Department cannot be equated with the sanction of the High Court. The questions raised need to be resolved on complete and proper reading of the material before the Court.

4. Leave granted.

5. Admit.

6. Prepare paper book. Action under Section 390 of Cr.P.C. to follow.

(U.D. SALVI, J.)