

SUPREME COURT OF INDIA

Mesu Dhondiba Vidhate

Vs.

State of Maharashtra

Crl.A.No.572 of 1999

(M.B.Shah and D.P.Mohapatra JJ.)

08.02.2001

ORDER

The Text below is only a summarized version of the order pronounced

Accused acquitted for offence under Sec 302 by Trial Court. High Court on basis of three dying declaration reversed acquittal of accused. Supreme Court held that there was no reason to disbelieve dying declaration made by deceased before Executive Magistrate and Doctor as it was made within hours of incident. Further held that there was also no reason to disbelieve evidence recorded by totally independent witness and thus upheld decision of High Court.