

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO. 1714 OF 2017

RAHUL DAMU SALVE

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA

RESPONDENT(S)

O R D E R

1. Heard learned counsel appearing for the appellant and learned counsel appearing for the respondent-State.

2. The Trial Court had convicted all the five accused under Sections 147,148,149,326 and 302 of the Indian Penal Code and has awarded life imprisonment for the murder of one, Popat.

3. The High Court has upheld the aforesaid conviction and sentence and thus, the present appeal has been preferred only by one of the convicts i.e., Accused No.3, Rahul Damu Salve.

4. The first and foremost argument of the learned counsel for the appellant is that none of the three eye witnesses are independent witnesses and, therefore, the Courts below have erred in relying upon their evidences.

5. No doubt, the three eye witnesses are somehow related to the deceased but their testimony cannot be discarded simply on that ground. Their presence at the scene of the offence is but natural and there is no inconsistency in their evidence. Their testimony stands corroborated by other witnesses also, namely, Santosh Bai (PW-6) and Sindhubai (PW-7), who may not have witnessed the entire incident but have witnessed the part of the same.

6. In view of the above facts, we find no substance in this appeal.

7. At this stage, Custody Certificate of the appellant, Rahul Damu Salve, has been produced before us which reveals that he has actually undergone incarceration for the period of 14 years and 8 months. If that be so, the appellant is at liberty to apply for remission in accordance with the law and/or applicable policy adopted by the appropriate Government.

8. Accordingly, the appeal is dismissed as devoid on merits with liberty aforesaid.

9. In the event, the appellant applies for remission, the State shall consider it most expeditiously, in accordance with law.

10. Pending application(s), if any, shall stand disposed of.

....., J.  
(PANKAJ MITHAL)

....., J.  
(PRASHANT KUMAR MISHRA)

NEW DELHI;  
06<sup>th</sup> February, 2025.

ITEM NO.113

COURT NO.15

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 1714/2017

RAHUL DAMU SALVE

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VERSUS

THE STATE OF MAHARASHTRA

RESPONDENT(S)

Date : 06-02-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Appellant(s) Mr. Vijay Kumar, AOR  
Mrs. Vithika Garg, Adv.  
Ms. Vidushi Garg, Adv.  
Mr. Hemant Kumar Tripathi, Adv.

For Respondent(s) Ms. Yugandhara Pawar Jha, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Ms. Lavanya Dhawan, Adv.

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

The Criminal Appeal stands dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(VARSHA MENDIRATTA)  
COURT MASTER (SH)

(RAM SUBHAG SINGH)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)