

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (ABA) No.229 of 2015
(Ravichandra Jadhav and another V/s State of Maharashtra, thr PSO PS
Digras, Tq. Digras, Yavatmal)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's orders

[Shri A.D. Tote, Adv for appellants.
 Shri V.A. Thakare, APP for State.]

CORAM : A.B. CHAUDHARI, J.
DATED : 15.06.2015.

Heard the learned Counsel for the
 rival parties.

It is not in dispute that the
 complainant is doing fishing business.
 The complainant as well as the
 applicants are the members of the
 Jagdamba Matsya Vayasaya Sanstha and
 take the contract of fishing. Read the
 F.I.R. F.I.R. itself shows that the
 complainant had gone to watch if
 anybody is found catching the fish. The
 F.I.R. shows that the complainant found
 that the applicants were catching the
 fish. When they were committing theft
 of fish, there was quarrel during the
 course of which they abused in the name
 of caste. As main allegation is about

theft of fish only the complainant added flavour to his complaint about abuses. F.I.R. shows no prima facie case is made out for the offence under Section 3 (1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, I am inclined to grant the application. Hence, the following order :-

Order

A] Criminal Application (ABA) No.229 of 2015 is allowed.

B] Interim protection granted by this Court on 12-05-2015 is confirmed.

JUDGE

Deshmukh