

FARAD CONTINUATION SHEET NO.

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

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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CRIMINAL APPLICATION NO. 6057 OF 2016

AVINASH S/O GANESHRAO AMLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for applicants : Mr.S.J. Salunke
APP for respondent/State : Mr. S.Y. Mahajan

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CORAM: S.S.SHINDE & K.K.SONAWANE, JJ.

Dated: November 22, 2016

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Heard the learned counsel appearing for the applicants. He submits that the alleged incident had not taken place at all. Even if the incident had happened as alleged, the same has not been happened within the purview of public view. He submits that two witnesses whose names have been mentioned in the F.I.R., are the relatives of the informant. He further submits that the villagers have already made complaint to the Block

Development Officer, Office of Panchayat Samiti, Pathri, Dist. Parbhani against the informant that the informant frequently gives threats to the villagers that he will file the complaints against them invoking the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. On the other hand, the learned A.P.P. appearing for the Respondent/State, relying upon the allegations made in the F.I.R., submits that, the offences are disclosed and the same needs investigation.

3. We have heard the learned counsel appearing for the applicants and the learned A.P.P. appearing for the Respondent/State.

4. Perused the allegations in the F.I.R. The ingredients of the alleged offences have been spelt out and the same needs investigation. No case is made out. Hence the application stands rejected.

5. However, we make it clear that the observations made hereinabove are prima facie in nature and the same cannot be

taken as findings/conclusions reached by
this Court.

(K.K.SONAWANE, J)

(S.S. SHINDE, J)

sga/