

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPR) NO.69 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.78 OF 2016

(Satish s/o Harishchandra Yetare ..vs.. The State of Maharashtra, through Dy. Supdt. Of Police,
Yavatmal)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 06-05-2016

Heard Shri C.S. Dharmadhikari, Advocate for the applicant and Shri R.S. Nayak, Additional Public Prosecutor for the non-applicant.

Accepting the reasons stated in the application, the delay of seventy-seven days in filing the revision application is condoned.

The criminal application is allowed.

Criminal Revision Application No.78 of 2016.

Heard.

The applicant has challenged the order passed by the learned Additional Sessions Judge rejecting the application (Exhibit No.11) filed by the applicant praying that he be discharged from the prosecution for offences punishable under Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The learned Advocate for the applicant has pointed out the observations recorded by the learned

Additional Sessions Judge in paragraph No.5 of the impugned order that the accused and victim were not knowing each other before the alleged incident.

Issue notice, returnable on 26-07-2016.

The proceedings of Special Case No.7/2013 pending before the learned Additional Sessions Judge are stayed, until further orders.

Shri R.S. Nayak, Additional Public Prosecutor waives notice for the non-applicant.

JUDGE

pma