

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

919 CRIMINAL APPEAL NO.282 OF 2020

**ANITA W/O. GORAKH MINDHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

Mr. K. N. Shermale, Advocate for the appellants
Mr. S. N. Morampalle, APP for the respondent/State
Mr. A. R. Gaikwad, Advocate for the respondent No.2 (appointed)

**CORAM : SURENDRA P. TAVADE, J.
DATE : 03-09-2021**

P. C.

1. The appellants have filed this appeal to challenge the order dated 12-03-2020 passed by the learned Additional Sessions Judge, Sangamner in Criminal Bail Application No. 35 of 2020. The appellants were prosecuted for the offences punishable under Sections 143, 147, 323 of the Indian Penal Code and under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. During the pendency of this appeal the Investigating Officer namely Sub-Divisional Officer, Sub-Division Sangamner has filed the report under Section 173(2)(i) dated 28-05-2020 and dropped charges under Sections 3(1)(r) (s) of the Atrocities Act. Said report was accepted by the trial court on 10-03-2021 and passed the following order:

Order

The '**Non-cognizable summary**' sought for is granted'

3. The copy order dated 10-03-2021 passed by the trial court has taken on record and marked as 'X' for identification.

4. In view of dropping the charges under Sections 3(1)(r) and 3(1)(s) of the Atrocities Act, this appeal becomes infructuous because said charges were non-bailable. Rest of the charges are bailable. Therefore, in view of the report submitted by the Sub-Divisional Officer, Sangamner, this appeal is disposed of as infructuous.

[SURENDRA P. TAVADE, J.]

Vishalk/criapl282.20