

THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO. 271/2022

Banaji Ananda Narwade ..Versus...Murlidhar Ashruji Hade and ors

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

Court's or Judge's orders

Mr. O.A.Ghare, Advocate for the applicant.
Mr. N.B.Kalwage, Advocate for Respondent Nos. 1 to. 6
Mr. S.D.Shirpurkar, APP for Respondent No.1

CORAM : AVINASH G. GHAROTE, J.

DATE : 16/06/2022

1] Heard Mr. Ghare, learned counsel for the applicant. On the question of grant of leave against the judgment of acquittal dated 26.9.2019, he on instructions submits that the leave is being sought only in respect of acquittal under Section 3(i)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and not for the acquittal on the other grounds.

2] The statement is accepted. The contention is that though there were abuses in the name of the caste, which have been stated by the complainant/PW-3, the evidence has not been properly appreciated while passing the impugned judgment, considering which case for leave is made out. Accordingly, leave is granted restricted to the acquittal for the offence under Section 3 (i)(x) of the S.C. & S.T. (Prevention of Atrocities) Act.

3] Office to register the appeal.

4] **Admit.** Call R&P

5] Mr. Kalwage, learned counsel waives service of notice for Respondent Nos. 1 to 6. Learned APP waives service of notice for Respondent No.7.

6] All the counsels submit that since the issue is a short one, the appeal can be finally decided as soon as the R&P is received and they shall make endeavour to procure the R&P by 30.06.2022.

7] List the matter for final disposal on 7.7.2022 at the end of the admission board.

JUDGE

Rvjalit