

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

APPLN. FOR LEAVE TO APPEAL BY STATE NO.91 OF 2019

**THE STATE OF MAHARASHTRA
VERSUS
DEELIP VITTHAL RATHOD**

....

Mr. R. D. Sanap, APP for applicant - State

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**CORAM : SMT VIBHA KANKANWADI AND
Y. G. KHOBRAGADE, JJ.**

DATE : 26.04.2023.

PER COURT :-

Learned APP seeks amendment and submits that since the offence was also under Section 3(1)1(r) and 3(2)2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, appeal ought to have filed by the State under Section 14A of the Schedule Castes and Scheduled Tribes Act, since the other provisions of the Code of Criminal Procedure will not be applicable. He is allowed to amend the title as well as in the body of the memo, suitably. He also seeks addition of party i.e. father of the deceased (victim) as party to the present appeal. In view of

Section 15A of the Scheduled Castes and Scheduled Tribes Act, the said leave is also granted.

2. After the amendment is carried out, the Registry to register the present application as appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. In that event, the A.L.S.No.91/2019 would stand disposed of.

3. Place the matter for further consideration on 15.06.2023.

4. Compliance of Section 15A(3) of the Scheduled Castes and Scheduled Tribes Act, be made by the prosecution.

[Y. G. KHOBRADE, J.]

[SMT. VIBHA KANKANWADI, J.]

SMS