

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

CRIMINAL APPLICATION NO. 1875 OF 2023

Yashwant Gopalrao Machale and Others

..APPLICANTS

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Ms. T.V. Jadhav, Advocate for applicants

Mr. P.N. Kutti, A.P.P. for respondent no.1 - State

....

CORAM : R.G. AVACHAT AND

SANJAY A. DESHMUKH, JJ

DATE : 08th NOVEMBER, 2023

PER COURT :

1. After perusal of the F.I.R., injury certificate and statement of the independent witness, we found each and every applicant has been attributed with an overt act. It is true that Applicant No.3 – Samadhan Devidas Kadam - Parmeshwar had abused the informant over his caste.

2. In our view, Applicant No.3 – Samadhan Devidas Kadam and none else could be charged for having abused the informant over his caste. The trial Court would frame charge on hearing the applicants, informant and State as well.

3. With these observations, criminal application is disposed of. Parties to act upon authenticated copy of this order.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

SSD