

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APPLICATION FOR LEAVE TO APPEAL BY STATE NO.84 OF 2020

The State of Maharashtra

... Appellant

Versus

Prasad @ Prashant Indurath Ghandure and Ors.

... Respondents.

...
APP for Appellant – State : Mr. A. M. Phule
...

**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATED : 5th OCTOBER, 2023

PER COURT :

1. Learned APP seeks leave to amend in view of the fact that the respondents were charged and tried under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, “The Atrocities Act”), which provides for specific provision under section 14-A(1) of Atrocities Act. In the said event there should be appeal directly and not an application under section 378(1)(b) of the Code of Criminal Procedure.

2. Leave is granted. Amendment to be carried out immediately. Office to register the appeal thereafter.

3. Place the matter for further consideration on 12.10.2023.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)