

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL REVISION APPLICATION NO. 53 OF 2024**

Baburao Hari Kore ...Applicant

vs.

The State of Maharashtra ...Respondent

**WITH  
CRIMINAL REVISION APPLICATION NO. 54 OF 2024**

Bacharam Akaram Kore ...Applicant

vs.

The State of Maharashtra ...Respondent

**WITH  
CRIMINAL REVISION APPLICATION NO. 55 OF 2024**

Kakaso Govind Kore ...Applicant

vs.

The State of Maharashtra ...Respondent

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|------------------------------------------|----------------------------|
| Mr.Ganesh K. Gole a/w Mr.Ritesh Ratnam:- | Advocates for Applicants.  |
| Mr.A.D.Kamkhedkar:-                      | APP for Respondents-State. |

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CORAM : S. M. MODAK, J.

DATE : 23<sup>rd</sup> APRIL 2024

**P. C. :-**

1. Heard learned Advocate Shri.Gole for the Applicant / private Complainant. He lodged complaint for the offence punishable under Section 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ("SC & ST Act") before the Court of Additional Sessions Judge – Kolhapur. His prayer for invocation of Section 156(3) of the Code of Criminal Procedure, 1973 ("Cr.P.C.) is refused. He was asked to proceed with the matter. The legality is challenged before this Court.

2. Earlier, there was some issue whether the Revision will lie before this Court or not. There are two prayers. One, setting aside the order passed by the trial Court and second, for direction to register the FIR.

3. The Deputy Registrar has given a report that considering the nature of prayers, a Writ Petition under Article 226 and/or 227 read with Section 482 of Cr.P.C., is a proper remedy. **Hence directions :-**

a. Let the learned Advocate Shri.Gole to take instructions on this issue.

- b. Copy of the Application is not served on the Office of Public Prosecutor. Let it be served.
  - c. Let learned APP may also take instructions from the concerned Police about the action they have taken in respect of the complaint filed by the various persons. It is on Page No.79.
4. Stand over to **30<sup>th</sup> April 2024**.

[S. M. MODAK, J.]