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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**912 CRIMINAL APPLICATION NO. 4283 OF 2025
IN APEALST/11887/2025**

NIJAMODDIN MOHAMAD KHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Shaikh Ashraf Patel, Advocate for the applicants.
Mrs. U.S. Bhosale, APP for the respondent/State.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 14 NOVEMBER, 2025

PER COURT :

CRIMINAL APPLICATION NO.4283 OF 2025

1. Heard the learned Advocate for the applicant. Delay of 90 days is condoned in filing the criminal appeal. Appeal be registered accordingly.

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2. After registering the appeal, issue notice to the respondents, returnable on 28.11.2025. The learned APP waives service of notice on behalf of the respondent/State. The other respondents be served through the concerned Investigating Officer.

3. The learned Advocate for the appellant states that the learned Sessions Court (Special Court) (SC and ST Act), vide his order dated 16.05.2025, issued process against accused Nos. 1 to 7 and 9 and 10, which is made returnable on 10.07.2025. According to the learned Advocate for the appellant, the said order dated 16.05.2025 came to be passed in pursuance to the complaint filed by respondent No.2 Laxminarayan Chotelal Rathod, who is the Power of Attorney holder for Mr.Fakiri Kisan Gangave and said Fakiri Kisan Gangave is said to be belonging to Scheduled Caste Category and on his behalf complaint under Atrocity Act is filed.

4. The question is whether 'issue process order' can be passed on the basis of complaint for atrocity offences has been filed by the Power of Attorney holder, therefore, I am inclined to grant stay to the proceedings. Hence, following order is passed :-

O R D E R

Ad interim relief in terms of prayer clause 'D', till the returnable date.

Stand over to 05.12.2025.

(SUSHIL M. GHODESWAR, J.)