



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APL) NO.67/2016

Rambai Puccham Panem and others

Vs.

The State of Maharashtra and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri A.R. Fule, Advocate for applicants
Ms S.S. Jachak, Addl.PP for respondent No.1/State

CORAM : SHRI ANIL S. KILOR AND
SHRI PRAVIN S. PATIL, JJ.

DATE : 11.06.2025

1. The present application is filed under Section 482 of the Criminal Procedure Code, with a prayer to quash and set aside the First Information Report No.08/2016 dated 24.01.2016 registered with Police Station Aheri, District Gadchiroli, for the offences punishable under Sections 376, 506 and 323 of the Indian Penal Code and Section 3(1)(x) and 3(1)(xii) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act. As far as the present applicants are concerned, mainly allegations are that they abused the complainant on caste.

2. Learned Counsel for applicants points out that because the stay was granted to file charge-sheet against the applicants, till date, the charge-sheet is not filed. However, as there was no such stay as regards the accused

No.1, the charge-sheet was filed and at the end of the trial, he has been acquitted. He, therefore, submits that as the main accused has been acquitted, the First Information Report needs to be quashed and set aside.

3. We have perused the judgment and order dated 22.01.2020 passed by the Special Court, Gadchiroli in Special Atrocity Case No.04/2017. It is evident there from that the allegations relating to the present applicants are different than the allegations against the accused No.1. The incident which is alleged to have taken place wherein the applicants abused the complainant on caste, at that time, the accused No.1 was not present. As far as the incident relating to the present applicants are concerned, there are eye-witnesses who supports the case of the prosecution as regards the offence under the provisions of Atrocities Act.

4. In that view of the matter, since evidence is available against the applicants, we are of the considered view that no case is made out for quashing of the First Information Report. Accordingly, Criminal Application is rejected.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)