

GJBK180011162018



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EX.89

સ્પેશ્યલ (એટ્રો) જજ અને છઠ્ઠા એડીશનલ સેશન્સ જજ કોર્ટ, ડીસા

સ્પેશ્યલ (એટ્રો) કેસ નં.૧૨/૨૦૧૮

ફરીયાદી :- શ્રી સરકાર

વિરુદ્ધ

આરોપી :- ૧. જીતેન્દ્રભાઈ ઉર્ફે અતુલભાઈ રમેશભાઈ ઠાકોર  
૨. ભેમર્સીંગ ઉર્ફે ભોળાજી મોહનજી ઠાકોર (ડાભી)  
૩. પરેશકુમાર ભરતભાઈ ઠાકોર (ડાભી)  
૪. રાહુલભાઈ ઉર્ફે વાલાજી રાજુજી યાદવ (ઠાકોર)  
તમામ હાલ રહે. ડીસા,  
તા.ડીસા, જિ.બનાસકાંઠાવાળા

ગુન્હો : ડીસા શહેર ઉત્તર પો.સ્ટે.ફ.ગુ.ર.નં.૩૩/૨૦૧૮, ઈ.પી.કો.કલમ-  
૩૨૩,૩૨૪,૩૨૬, ૨૯૪(ખ), ૫૦૬(૨),૧૧૪ તથા એટ્રોસીટી  
એક્ટની કલમ-૩(૧)આર એસ, ૩(૨), ૫ મુજબ

ફરીયાદપક્ષે વિ.એ.જી.પી.

શ્રી એસ.કે.જોષી

આરોપીઓ તરફે વિ.વ.

શ્રી સી.પી.ઠાકોર

-: ઠ રા વ :-

૦૧. ફરીયાદપક્ષના કેસની ટુંકમાં હકીકત એવી છે કે,તા.૦૮/૦૫/૨૦૧૮ ના

રોજ કલાક ૧૪-૦૦ વાગ્યાના સુમારે ડીસા મુકામે નહેરુનગર ટેકરા વિસ્તારમાં આરોપીઓએ ફરિયાદીના ઘરની બહાર જાહેર જગ્યામાં ફરિયાદીને બોલાવી ફરિયાદીને કહેલ કે "સાલા ભીલડા કાંડા તારો છોકરો અનીલ કેમ પોલીસને અમારા વિરુદ્ધમાં બાતમી આપે છે" તેમ કહી, આરોપીઓએ ફરિયાદીને મા-બેન સામી ભુંડી ગાળો બોલી, ફરિયાદીને સાલા ભીલડા કાંડા જેવા જાતિ અપમાનીત શબ્દો બોલતાં, ફરિયાદીએ ગાળો બોલવાની ના પાડતાં, ઉશ્કેરાઈ જઈ આરોપી અતુલભાઈએ હાથમાંની તલવાર ફરિયાદીને મારવા જતાં ફરિયાદીએ હાથ આડો કરતાં ફરિયાદીને માથાના ભાગે તથા હાથના ભાગે મારી જીવલેણ ઈજાઓ પહોંચાડેલી, આરોપી વાલાજીએ ફરિયાદીને લોખંડની ખીલાસરી બરડાના ભાગે મારેલ તેમજ આરોપી ભોળાજીએ ફરિયાદીને લોખંડની પાઈપ ખભાના ભાગે મારી તેમજ આરોપી પરેશભાઈએ ફરિયાદીને બરડાના ભાગે લાકડાનો ધોકો મારી ઈજાઓ કરેલી અને ફરિયાદીને જાનથી મારી નાંખવાની ધમકીઓ આપેલી અને સદરહું ગુનો કરવામાં આરોપીઓએ એકબીજાને મદદગારી કરેલ. જે બનાવની ફરીયાદ ફરીયાદીએ ડીસા શહેર ઉત્તર પો.સ્ટે.માં આપતા તે ડીસા શહેર ઉત્તર પો.સ્ટે.ફ. ગુ.ર. નં.૩૩/૨૦૧૮, ઈ.પી.કો.કલમ-૩૨૩,૩૨૪,૩૨૬, ૨૯૪(ખ), ૫૦૬ (૨), ૧૧૪ તથા એટ્રોસીટી એક્ટની કલમ-૩(૧)આર એસ, ૩(૨), ૫ મુજબ નોંધવામાં આવેલ, તપાસનીશ અધિકારીએ ગુનાની તપાસ કરી, તપાસના અંતે આરોપીઓ વિરુદ્ધ પુસ્તો પુરાવો જણાતા ચાર્જશીટ રજુ કરતા, સદર નંબરથી રજીસ્ટરે લેવામાં આવેલ છે.

૦૨. આ કામે આરોપીઓને સમન્સ કરતા આરોપીઓ પોતાના વિ.વ.શ્રી મારફત અદાલતમાં ઉપસ્થિત રહેતા, આરોપીઓને પોલીસ પેપર્સની નકલો મળ્યાની ખાત્રી કર્યા બાદ, મારા પુરોગામીશ્રી દવારા આરોપીઓ વિરુદ્ધ સદર ગુનાઓ સબબ આંક-૦૯ થી તહોમતનામું ફરમાવી, આંક-૧૦ થી આંક-૧૩ સુધી જવાબ રેકર્ડ કરતા, આરોપીઓએ ગુનાનો ઈન્કાર કરી, કેસની કાર્યવાહી આગળ ચલાવવાની માંગણી કરતા,

ફરીયાદપક્ષનો પુરાવો લેવામાં આવેલ છે.

૦૩. આ કામે ફરીયાદપક્ષે પોતાના કેસના સમર્થનમાં નીચે મુજબનો મૌખિક તથા દસ્તાવેજી પુરાવો રજૂ રાખેલ છે.

ક્રમ	મૌખિક/દસ્તાવેજી પુરાવો	આંક
૧.	ફરીયાદી, જયસીંગ ખુબાજી માજીરાણા	૨૧
૨.	એફ.આઈ.આર.	૨૨
૩.	સાહેદ, સુરજબેન જયસીંગભાઈ માજીરાણા	૨૫
૪.	સાહેદ, બાદરભાઈ જેસીંગભાઈ માજીરાણા	૨૬
૫.	સાહેદ, અનીલભાઈ જેસીંગભાઈ માજીરાણા	૨૭
૬.	સાહેદ, સોનલબેન મુકેશભાઈ માજીરાણા	૩૭
૭.	ડો.સાહેદ, અતહર હુસેનખાન	૪૦
૮.	એક્સ-રે	૪૧
૯.	ચાદી	૪૨
૧૦.	મેડીકલ સર્ટીફિકેટ	૪૩
૧૧.	મેડીકલ પેપર્સ	૪૪
૧૨.	પંચ, ચંદનભાઈ ભોલાભાઈ સોનકર	૫૦
૧૩.	ગુનાવાળી જગ્યાનું પંચનામું	૫૧
૧૪.	પંચ, અરવિંદભાઈ લખુભાઈ ઠાકોર	૫૬
૧૫.	હથીયાર રીકવરી પંચનામું	૫૭
૧૬.	પંચોની સહીવાળી કાપલી	૫૮
૧૭.	પંચોની સહીવાળી કાપલી	૫૯
૧૮.	પંચોની સહીવાળી કાપલી	૬૦
૧૯.	પંચોની સહીવાળી કાપલી	૬૧
૨૦.	પંચ, સુરેશભાઈ નાનજીભાઈ ઠાકોર	૬૨
૨૧.	સાહેદ, નરેન્દ્રકુમાર રમેશભાઈ માજીરાણા	૬૮
૨૨.	ત.ક.અ.હરદેવસિંહ કરણસિંહ વાઘેલા	૭૩
૨૩.	સુચીપત્ર	૭૪
૨૪.	ભારે ગુનાનો સ્પેશીયલ રીપોર્ટ	૭૫
૨૫.	એફ.ટી.પી.મેસેજ	૭૬
૨૬.	એફ.ટી.પી.મેસેજ	૭૭

૨૭.	નિમણુક હુકમ	૭૮
૨૮.	જાતિ પ્રમાણપત્ર	૭૯
૨૯.	પત્ર	૮૦
૩૦.	પત્ર	૮૧
૩૧.	રવાનગી નોંધ	૮૨
૩૨.	પહોંચ	૮૩
૩૩.	પત્ર	૮૪
૩૪.	એફ.એસ.એલ.અહેવાલ	૮૫

૦૪. આ કામે ફરીયાદપક્ષે વિધવાન એ.પી.પી.શ્રીએ ફરીયાદપક્ષનો પુરાવો પુરો થયાનું જાહેર કરેલ, ત્યારબાદ આરોપીઓનો ફોજદારી કાર્યવાહી સંહિતાની કલમ-૩૧૩ મુજબ વિશેષ જવાબ નોંધવામાં આવેલ છે, જેમાં આરોપીઓએ ઇન્કારીયતનો બચાવ લીધેલ છે, જાતે જુબાની આપવી નથી, બચાવમાં સાહેદ તપાસવા નથી, પોતે નિર્દોષ છે, કોઈ ગુનો કરેલ નથી, ખોટી ફરીયાદ કરેલ હોવાનું જણાવેલ છે.
૦૫. આ કામે ફરીયાદપક્ષે વિ.એ.પી.પી.શ્રીએ રજુઆત કરેલ છે કે, આરોપી વિરૂદ્ધ ગુન્હો પુરવાર કરવા માટે પુરતો પુરાવો હોય આરોપીને યોગ્ય તે નસીહત કરવા રજુઆત કરેલ છે.
૦૬. આ કામે બચાવપક્ષે વિ.વ.શ્રીએ મૌખિક દલીલ કરતા જણાવેલ છે કે આરોપી સામે કોઈ પુરાવો ન હોય, ફરીયાદપક્ષનો કેસ પુરવાર થતો ન હોય, આરોપીને નિર્દોષ ઠરાવી છોડી મુકવા રજુઆત કરેલ છે.
૦૭. આ કામે ફરીયાદપક્ષના કેસના ન્યાયીક નિર્ણય માટે નીચે મુજબના મુદા ઉપસ્થિત થયેલ છે.
૧. શું ફરીયાદપક્ષ નિ:શંકપણે પુરવાર કરે છે કે, તા.૦૮/૦૫/૨૦૧૮ ના રોજ કલાક ૧૪-૦૦ વાગ્યાના સુમારે ડીસા મુકામે નહેરુનગર ટેકરા વિસ્તારમાં આરોપીઓએ ફરિયાદીના ઘરની બહાર જાહેર જગ્યામાં ફરિયાદીને બોલાવી ફરિયાદીને કહેલ કે "સાલા ભીલડા

કાંડા તારો છોકરો અનીલ કેમ પોલીસને અમારા વિરુદ્ધમાં બાતમી આપે છે" તેમ કહી, આરોપીઓએ ફરિયાદીને મા-બેન સામી ભુંડી ગાળો બોલી, ફરિયાદીને સાલા ભીલડા કાંડા જેવા જાતિ અપમાનીત શબ્દો બોલતાં, ફરિયાદીએ ગાળો બોલવાની ના પાડતાં, ઉશ્કેરાઈ જઈ આરોપી અતુલભાઈએ હાથમાંની તલવાર ફરિયાદીને મારવા જતાં ફરિયાદીએ હાથ આડો કરતાં ફરિયાદીને માથાના ભાગે તથા હાથના ભાગે મારી જીવલેણ ઈજાઓ પહોંચાડેલી, આરોપી વાલાજીએ ફરિયાદીને લોખંડની ખીલાસરી બરડાના ભાગે મારેલ તેમજ આરોપી ભોળાજીએ ફરિયાદીને લોખંડની પાઈપ ખભાના ભાગે મારી તેમજ આરોપી પરેશભાઈએ ફરિયાદીને બરડાના ભાગે લાકડાનો ધોકો મારી ઈજાઓ કરેલી અને ફરિયાદીને જાનથી મારી નાંખવાની ધમકીઓ આપેલી અને સદરહું ગુનો કરવામાં આરોપીઓએ એકબીજાને મદદગારી કરી, ઈ.પી.કો.કલમ- ૩૨૩,૩૨૪,૩૨૬, ૨૯૪(ખ), ૫૦૬(૨),૧૧૪ તથા એટ્રોસીટી એક્ટની કલમ-૩(૧)આર એસ, ૩(૨), ૫ મુજબના ગુના કરેલ છે ?

૨. શું હુકમ ?

૦૮. આ કામે ઉપરોક્ત મુદ્દાઓનો મારો ન્યાયીક નિર્ણય નીચે મુજબ છે.

મુદ્દા નં.૧ : નકારમાં

મુદ્દા નં.૨ : આખરી હુકમ મુજબ.

-: કારણો :-

મુદ્દા નં.૧ :-

૦૯. આરોપીઓ સામે જે જે ગુન્હાના આક્ષેપો કરવામાં આવેલ છે તેને એક તબક્કે ધ્યાને લેવામાં આવે તો આરોપીઓ સામે ભારતીય દંડ સંહિતાની કલમ ૩૨૩, ૩૨૪, ૩૨૬, ૨૯૪(ખ), ૫૦૬(૨), ૧૧૪ તથા એટ્રોસીટી એક્ટની કલમ-૩(૧)આર એસ, ૩(૨), ૫ ના આક્ષેપો કરવામાં આવેલ છે. તે મુજબના શિક્ષાપાત્ર ગુન્હાને સાબીત કરવા ફરીયાદ પક્ષે નીચે મુજબના

तत्त्वो पोताना पुरावाथी साजीत करवा पडे.

S.No.	Section	Ingredients
A	324	<p>An offence under section 324 has following essential ingredients :</p> <p>(i) That the accused voluntarily caused hurt to another person;</p> <p>(ii) That such a hurt was in exception to cases provided under section 334;</p> <p>(iii) That such hurt was caused</p> <p>(a) by means of any instrument for shorting, stapping or cutting, or any instrument which used as a weapon of offence is likely to cause death; or</p> <p>(b) by means of fire or any heated substance; or</p> <p>(c) by means of any poison or any corrosive substance; or</p> <p>(d) by means of any explosive substance; or</p> <p>(e) by means of any substance which is deleterious to the human body to inhale, to swallow, or receive into the blood; or</p> <p>(f) by means of any animal.</p>
B	323	<p>An offence under section 323 has following essential ingredients:</p> <p>(i) That the accused caused hurt to another person;</p> <p>(ii) That he caused such hurt voluntarily;</p> <p>(iii) That such a case was not covered under section 334 the Indian Penal Code, 1860.</p>
C	326	The essential ingredients to attract section 326

		<p>are :</p> <p>(1) voluntarily causing hurt;</p> <p>(2) hurt caused must be grievous hurt; and</p> <p>(3) the grievous hurt must have been caused by dangerous weapons or means.</p>
D	294B	<p>To establish an offence under Section 294(b), the following essential ingredients must be proven:</p> <p>1. <b>Obscene Words:</b> The accused must have sung, recited, or uttered obscene words.</p> <p>2. <b>Location:</b> The act must have occurred in or near a public place.</p> <p>3. <b>Annoyance:</b> The act must have caused annoyance to others present</p>
E	506(2)	<p>For proving an offence under Section 506 (2) of IPC prosecution is required to prove:</p> <p>(i) that the accused threatened some person.</p> <p>(ii) that such threats consisted of death of the person</p> <p>(iii) that he did so with intent to cause alarm to that person, or to cause that person to do any act which he was not legally bound to do or omit to do an act which he is legally entitled to do as a means of avoiding the execution of such threat.</p>
F	114	<p>For proving an offence under Section 114 of IPC prosecution is required to prove:</p> <p>1. There was abetment by accused.</p>

		2. The act was actually committed in pursuance of abetment. 3. The accused was present while the act was being committed.
G	<b>3(1)R,</b>	Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-  (r) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
H	<b>3(2) (5)</b>	(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,  (v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine;

૧૦. હાલના તબક્કે ભારતીય દંડ સંહિતાની કલમ ૨૯૪ બી અને કલમ ૫૦૬ (૨) તથા એટ્રોસીટી એક્ટની કલમ-૩(૧)આર, ૩(૨)(૫) માટે કેટલાક કાયદાકીય માર્ગદર્શક ચુકાદાઓ ધ્યાને રાખવા પણ જરૂરી છે.

**(I) Legal Position of Section 506 (2) IPC**

- A. In [Munsafkhan Yasinkhan Pathan and Ors. v. \(The\) State of Gujarat](#), which is unreported judgment

mentioned in 2002(1) G.L.H. (U.J.) 4 held that Indian Penal Code, 1860 - Sections 506(2) & 503 Criminal intimidation-Threat to cause death or grievous hurt-Necessary ingredients- Complainant should have been alarmed by the threat administered to him- Evidence indicates a clear absence of any apprehension and/or fear so as to cause alarm to the complainant- No evidence that because of threat, complainant was unable to attend to his duties of any point of time after he lodged the complaint- Words uttered by the accused did not cause any alarm to the complainant- Offence not proved.

- B.** The same decision was referred in Pravinbhai Becherbhai Vankar vs State Of Gujarat on 3 November, 2006
- C.** Gujarat High Court in Mahasukhrai Keshavlal Joshi vs State Of Gujarat decided on 22 March, 2007 reported in 2007(2) GLH 201 held that It is settled that for making out a case of criminal intimidation under Section 506(2) of the Indian Penal Code, it must be established that the accused had an intention to cause an alarm to the complainant. Mere threat given by the accused, not with an intention to give an alarm to the complainant but with a view to deterring him from interfering with what the accused believe either about his right or other status, would not constitute an offence of criminal intimidation.
- D.** **Mohammad Wajid vs State of U P | 2023 LiveLaw**

**(SC) 624 | 2023 INSC 683** held that “Indian Penal Code, 1860 ; Section 504 - One of the essential elements for constituting an offence under Section 504 of the IPC is that there should have been an act or conduct amounting to intentional insult. Where that act is the use of the abusive words, it is necessary to know what those words were in order to decide whether the use of those words amounted to intentional insult. In the absence of these words, it is not possible to decide whether the ingredient of intentional insult is present. (Para 28) **Indian Penal Code, 1860 ; Section 506 - Before an offence of criminal intimidation is made out, it must be established that the accused had an intention to cause alarm to the complainant. (Para 27)”**

- E.** [2025] 2 S.C.R. 187 : 2025 INSC 105 Madhushree Datta v. The State of Karnataka & Anr held that The next question for determination is, whether the mere assertion of “filthy language” allegedly used by the appellants in scolding the complainant, is sufficient to establish commission of offences under Sections 504 and 509 of the IPC. 21. In the above context, it would be apt to consider the provisions contained in Section 504 of the IPC. 2. A perusal of Section 504 of the IPC reveals that a mere act of insulting someone does not fulfil its requirements; the insult must be of such a nature that it provokes the person insulted to breach the public peace or engage in criminal conduct.

Therefore, to establish the ingredients of Section 504 of the IPC, it must be demonstrated, based on the available material, that there was intentional insult with the intent or knowledge that such insult would provoke either disturbance of the public peace or the commission of any other offence. 23. We may, at this juncture, profitably refer to the decision of this Court in *Fiona Shrikhande v. State of Maharashtra & Anr.*, [2013] 9 SCR 240 : AIR 2014 SC 2013 wherein Section 504 of the IPC came up for interpretation and it was held as under : 13. Section 504 IPC comprises of the following ingredients, viz., (a) intentional insult, (b) the insult must be such as to give provocation to the person insulted, and (c) the accused must intend or know that such provocation would cause another to break the public peace or to commit any other offence. The intentional insult must be of such a degree that should provoke a person to break the public peace or to commit any other offence. The person who intentionally insults intending or knowing it to be likely that it will give provocation to any other person and such provocation will cause to break the public peace or to commit any other offence, in such a situation, the ingredients of Section 504 are satisfied. One of the essential elements constituting the offence is that there should have been an act or conduct amounting to intentional insult and the mere fact that the accused abused the complainant, as such, is not

sufficient by itself to warrant a conviction under Section 504 IPC. 14. We may also indicate that it is not the law that the actual words or language should figure in the complaint. One has to read the complaint as a whole and, by doing so, if the Magistrate comes to a conclusion, prima facie, that there has been an intentional insult so as to provoke any person to break the public peace or to commit any other offence, that is sufficient to bring the complaint within the ambit of Section 504 IPC. It is not the law that a complainant should verbatim reproduce each word or words capable of provoking the other person to commit any other offence. The background facts, circumstances, the occasion, the manner in which they are used, the person or persons to whom they are addressed, the time, the conduct of the person who has indulged in such actions are all relevant factors to be borne in mind while examining a complaint lodged for initiating proceedings under Section 504 IPC.” AND This Court had the occasion to examine the ingredients of Sections 503 and 506 of the IPC in Manik Taneja and Another v. State of Karnataka & Anr.,<sup>16</sup> where it was observed as follows: “11. xxxxxxxxxxxx A reading of the definition of ‘criminal intimidation’ would indicate that there must be an act of threatening to another person, of causing an injury to the person, reputation, or property of the person threatened, or to the person in whom the threatened

person is interested and the threat must be with the intent to cause alarm to the person threatened or it must be to do any act which he is not legally bound to do or omit to do an act which he is legally entitled to do.” 35. In the present case, the complaint does not specifically attribute any threats or intimidation to the second accused. Therefore, ingredients of Section 506 of the IPC, prima facie, are not made out against him. The argument that the first accused acted at the behest of the second accused is untenable, as Section 34 of the IPC, which imposes vicarious liability in criminal matters, has not been applied in this case.”

## (II) Section 294 (B) of IPC

- A. Supreme Court in case *N.S. Madhlagopal v. K Lalita*** on OCTOBER 10, 2022 reported in 2022 LiveLaw (SC) 844 held that It is to be noted that the test of obscenity under Section 294(b) of the I.P.C. is whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences. The following passage from the judgment authored by Justice K.K. Mathew (as his Lordship then was) reported in *P.T. Chacko v. Nainan* (1967 KLT 799) explains as follows: “The only point argued was that the 1st accused has not committed an offence punishable under Section 294(b) IPC., by uttering the words above-mentioned. The courts below have held that the

words uttered were obscene and the utterance caused annoyance to the public. I am not inclined to take this view. In the Queen v. Hicklin, [L.R.] 3 Q.B. 360 at 371 Cockburn C.J. Laid down the test of 'obscurity' in these words: "..... the test of obscenity is this, whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences" This test has been uniformly followed in India. The Supreme Court has accepted the correctness of the test in Ranjit D. Udeshi v. State of Maharashtra, AIR 1965 SC 881. In Samuel Roth v. U.S.A., 354 US 476 (1957), Chief Justice Warren said that the test of 'obscurity' is the "substantial tendency to corrupt by arousing lustful desires". Mr. Justice Harlan observed that in order to be 'obscene' the matter must "tend to sexually impure thoughts". I do not think that the words uttered in this case have such a tendency. It may be that the words are defamatory of the complainant, but I do not think that the words are 'obscene' and the utterance would constitute an offence punishable under S. 294(b) IPC". AND "It has to be noted that in the instance case, the absence of words which will involve some lascivious elements arousing sexual thoughts or feelings or words cannot attract the offence under Section 294(b). None of the records disclose the alleged words used by the accused. It may not be the requirement of law to reproduce in all cases the entire obscene words if it

is lengthy, but in the instant case, there is hardly anything on record. Mere abusive, humiliating or defamative words by itself cannot attract an offence under Section 294(b) IPC. To prove the offence under Section 294 of IPC mere utterance of obscene words are not sufficient but there must be a further proof to establish that it was to the annoyance of others, which is lacking in the case. No one has spoken about the obscene words, they felt annoyed and in the absence of legal evidence to show that the words uttered by the appellants accused annoyed others, it can not be said that the ingredients of the offence under Section 294 (b) of IPC is made out.

- B. Gujarat High Court in Jigneshbhai Bapulal Prajapati vs State Of Gujarat on 9 May, 2024 NEUTRAL CITATION R/CR.MA/8968/2024 held that “Insofar as offence under [Section 294\(b\)](#) of the IPC is concerned, mere abusive, humiliating or defamative words by itself cannot attract an offence under [Section 294\(b\)](#) of the IPC and to prove the offence under [Section 294](#) of IPC mere utterance of obscene words are not sufficient but there must be a further proof to establish that it was to the annoyance of others. The test of obscenity under [Section 294\(b\)](#) of IPC is whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences. In this regard reference is required to be made to the decision of the Hon'ble Supreme Court in

the case of NEUTRAL CITATION R/CR.MA/8968/2024 ORDER DATED: 09/05/2024 undefined [N.S. Madhanagopal & Anr. vs. K. Lalitha](#) reported in 2022 LiveLaw (SC) 844. [9.1] Insofar as offence under [Section 506\(2\)](#) of the IPC alleged against the present petitioner is concerned, it is worth to refer to the decision of the Hon'ble Apex Court in the case of [Mohammad Wajid and Anr. v. State of U.P. and Ors.](#) reported in 2023 LiveLaw (SC) 624: 2023 INSC 683, wherein it is held as follows: "[Indian Penal Code](#), 1860; [Section 506](#) - Before an offence of criminal intimidation is made out, it must be established that the accused had an intention to cause alarm to the complainant. (Para 27) 3 Interpretation of Statutes- All penal statutes are to be construed strictly - Court must see that the thing charged is an offence within the plain meaning of the words used and must not strain the words. (Para 19- 21)"

- C. Supreme Court of India in Om Prakash Ambadkar vs The State Of Maharashtra on 16 January, 2025 reported in 2025 INSC 139 held that 14. In so far as [Section 294](#) of the IPC is concerned, this Court in [N.S. Madhanagopal and Another v. K. Lalitha](#) reported in (2022) 17 SCC 818 has explained the true purport and scope of [Section 294](#). We quote the relevant observations as under:- "6. [Section 294\(b\)](#) IPC talks about the obscene acts and songs. [Section 294](#) IPC as a whole reads thus: "294. Obscene acts and songs.—

Whoever, to the annoyance of others— (a) does any obscene act in any public place, or (b) sings, recites or utters any obscene songs, ballad or words, in or near any public place, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.” 7. It is to be noted that the test of obscenity under [Section 294\(b\)IPC](#) is whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences. The following passage from the judgment authored by K.K. Mathew, J. (as his Lordship then was) reported in P.T. Chacko v. Nainan Chacko [P.T. Chacko v. Nainan Chacko, 1967 SCC OnLine Ker 125 : 1967 KLT 799] explains as follows : (SCC OnLine Ker paras 5-6) “5. The only point argued was that the 1st accused has not committed an offence punishable under [Section 294\(b\)IPC](#), by uttering the words above-mentioned. The courts below have held that the words uttered were obscene and the utterance caused annoyance to the public. I am not inclined to take this view. In [R. v. Hicklin \[R. v. Hicklin, \(1868\) LR 3 QB 360\]](#) , QB at p. 371 Cockburn, C.J. Laid down the test of “obscenity” in these words : (QB p. 371) ‘... the test of obscenity is this, whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences....’ 6. This test has been uniformly followed in India. The Supreme

Court has accepted the correctness of the test in *Ranjit D. Udeshi v. State of Maharashtra* [*Ranjit D. Udeshi v. State of Maharashtra*, 1964 SCC OnLine SC 52 : AIR 1965 SC 881]. In *Roth v. United States* [*Roth v. United States*, 1957 SCC OnLine US SC 106 : 1 L Ed 2d 1498 : 354 US 476 (1957)], Chief Justice Warren said that the test of “obscenity” is the ‘substantial tendency to corrupt by arousing lustful desires’. Mr Justice Harlan observed that in order to be “obscene” the matter must “tend to sexually impure thoughts”. I do not think that the words uttered in this case have such a tendency. It may be that the words are defamatory of the complainant, but I do not think that the words are “obscene” and the utterance would constitute an offence punishable under [Section 294\(b\) IPC.](#)” 8. It has to be noted that in the instance case, the absence of words which will involve some lascivious elements arousing sexual thoughts or feelings or words cannot attract the offence under [Section 294\(b\)](#). None of the records disclose the alleged words used by the accused. It may not be the requirement of law to reproduce in all cases the entire obscene words if it is lengthy, but in the instant case, there is hardly anything on record. Mere abusive, humiliating or defamative words by itself cannot attract an offence under [Section 294\(b\) IPC](#). 9. To prove the offence under [Section 294 IPC](#) mere utterance of obscene words are not sufficient but there must be a further proof to establish

that it was to the annoyance of others, which is lacking in the case. No one has spoken about the obscene words, they felt annoyed and in the absence of legal evidence to show that the words uttered by the appellant- accused annoyed others, it cannot be said that the ingredients of the offence under [Section 294\(b\)IPC](#) is made out.” 15. We fail to understand how the act of a police officer assaulting the complainant within public view or public as alleged would amount to an obscene act. Obscene act for the purpose of [Section 294](#) has a particular meaning. Mere abusive, humiliating or defamatory words by themselves are not sufficient to attract the offence under [Section 294](#) of the IPC.

### **(III) For SC/ST ACT**

- A. Hon'ble Supreme Court in case of KESHAW MAHTO @ KESHAW KUMAR MAHTO VERSUS STATE OF BIHAR & ANR. Reported in 2026 LiveLaw (SC) 62 held that “11. This Court in [Shajan Skaria v. The State of Kerala & Anr.](#), 2024 SCC OnLine SC 2249, laid down the ingredients to constitute an offence under [Section 3\(1\)\(r\)](#) of the SC/ST Act. It reads thus:- “55. The basic ingredients to constitute the offence under [Section 3\(1\)\(r\)](#) of the Act, 1989 are: a. Accused person must not be a member of the Scheduled Caste or Scheduled Tribe; b. Accused must intentionally insult or intimidate a

member of a Scheduled Caste or Scheduled Tribe; c. Accused must do so with the intent to humiliate such a person; and d. Accused must do so at any place within public view.” (Emphasis supplied) 12. [Section 3\(1\)\(r\)](#) is attracted where the reason for the intentional insult or intimidation by the accused is that the person who is subjected to is a member of a Scheduled Caste or a Scheduled Tribe. In other words, the offence under [Section 3\(1\)\(r\)](#) cannot stand merely on the fact that the informant/complainant is a member of a Scheduled Caste or a Scheduled Tribe, unless the insult or intimidation is with the intention to humiliate such a member of the community. 13. To put it briefly - first, the fact that the complainant belonged to a Scheduled Caste or a Scheduled Tribe would not be enough. Secondly, any insult or intimidation towards the complainant must be on the account of such person being a member of a Scheduled Caste or a Scheduled Tribe. 14. With a view to dispel any doubt and lend clarity, we deem it appropriate to mention that even mere knowledge of the fact that the complainant is a member of a Scheduled Caste or a Scheduled Tribe is not sufficient to attract [Section 3\(1\)\(r\)](#). 15. Further, for an offence to be made out under [Section 3\(1\)\(s\)](#), merely abusing a member of a Scheduled Caste or a Scheduled Tribe would not be enough. At the same time, saying caste name would also not constitute an offence. 16. In other words, to constitute an offence

under [Section 3\(1\)\(s\)](#) it would be necessary that the accused abuses a member of a Scheduled Caste or a Scheduled Tribe “by the caste name” in any place within public view. Thus, the allegations must reveal that abuses were laced with caste name, or the caste name had been hurled as an abuse. 17. What appears from the aforesaid is the element of humiliation is present in [Section 3\(1\)\(s\)](#) as well. It has to be gathered from the intentional insult towards the caste, and the content. The content under [Section 3\(1\)\(s\)](#) are the abuses hurled at a person belonging to a Scheduled Caste or a Scheduled Tribe. However, the intent with which the abuses were hurled must be found to be denigrating towards the caste, resulting into a feeling of caste-based humiliation.”

- B. Supreme Court of India in case of Karuppudayar vs State Rep. By The Deputy Superintendent ... on 31 January, 2025 reported in 2025 INSC 132 held that 9. A perusal of Section 3(1)(r) of the SC-ST Act would reveal that for constituting an offence thereunder, it has to be established that the accused intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view. Similarly, for constituting an offence under Section 3(1)(s) of the SC-ST Act, it will be necessary that the accused abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view.

C. Supreme Court of India in *Khuman Singh vs The State Of Madhya Pradesh* on 27 August, 2019 reported in AIR 2019 SUPREME COURT 4030, AIRONLINE 2019 SC 929 held that "13. In *Dinesh alias Buddha v. State of Rajasthan* (2006) 3 SCC 771, the Supreme Court held as under:- "15. Sine qua non for application of [Section 3\(2\)](#) (v) is that an offence must have been committed against a person on the ground that such person is a member of Scheduled Castes and Scheduled Tribes. In the instant case no evidence has been led to establish this requirement. It is not case of the prosecution that the rape was committed on the victim since she was a member of Scheduled Caste. In the absence of evidence to that effect, Section 3(2)(v) of the Atrocities Act been applicable then by operation of law, the sentence would have been imprisonment for life and fine. 14. As held by the Supreme Court, the offence must be such so as to attract the offence under [Section 3\(2\)\(v\)](#) of the Act. The offence must have been committed against the person on the ground that such person is a member of Scheduled Caste and Scheduled Tribe. In the present case, the fact that the deceased was belonging to "Khangar"- Scheduled Caste is not disputed. There is no evidence to show that the offence was committed only on the ground that the victim was a member of the Scheduled Caste and therefore, the conviction of the appellant-accused under [Section 3\(2\)\(v\)](#) of the Scheduled Castes and Scheduled 10 of 11

919-apl-953-19-J.odt Tribes (Prevention of Atrocities)  
Act is not sustainable."

- D. Supreme Court of India in Hitesh Verma vs The State Of Uttarakhand on 5 November, 2020 reported AIR 2020 SUPREME COURT 5584, AIRONLINE 2020 SC 812 held that "12. The basic ingredients of the offence under [Section 3\(1\)\(r\)](#) of the Act can be classified as "1) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe and 2) in any place within public view". 13. The offence under [Section 3\(1\)\(r\)](#) of the Act would indicate the ingredient of intentional insult and intimidation with an intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe. All insults or intimidations to a person will not be an offence under the Act unless such insult or intimidation is on account of victim belonging to Scheduled Caste or Scheduled Tribe. The object of the Act is to improve the socio-economic conditions of the Scheduled Castes and the Scheduled Tribes as they are denied number of civil rights. Thus, an offence under the Act would be made out when a member of the vulnerable section of the Society is subjected to indignities, humiliations and harassment. The assertion of title over the land by either of the parties is not due to either the indignities, humiliations or harassment. Every citizen has a right to avail their remedies in accordance with law. Therefore, if the

appellant or his family members have invoked jurisdiction of the civil court, or that respondent No.2 has invoked the jurisdiction of the civil court, then the parties are availing their remedies in accordance with the procedure established by law. Such action is not for the reason that respondent No.2 is member of Scheduled Caste. 14. Another key ingredient of the provision is insult or intimidation in “any place within public view”. What is to be regarded as “place in public view” had come up for consideration before this Court in the judgment reported as [Swaran Singh & Ors. v. State](#) through Standing Counsel & Ors.5. The Court had drawn distinction between the expression “public place” and “in any place within public view”. It was held that if an offence is committed outside the building e.g. in a lawn outside a house, and the lawn can be seen 5 (2008) 8 SCC 435 by someone from the road or lane outside the boundary wall, then the lawn would certainly be a place within the public view. On the contrary, if the remark is made inside a building, but some members of the public are there (not merely relatives or friends) then it would not be an offence since it is not in the public view.”

**E. Supreme Court in case of Amal Kumar vs The State Of Jharkhand on 9 December, 2025 reported in 2025 (16) JT 135 : 2025 (4) Crimes 364 held that “Atrocities offence - S. 3(1)(s) of SC/ST Act requires intentional caste-based insult in a place within public view - absence of allegation regarding public view or presence of independent persons is fatal to prosecution.”**

F. Supreme Court of India in Sohanvir@ Sohanvir Dhama vs State Of U.P on 8 December, 2025 reported in 2025 INSC 1397 and 2025 (16) JT 81 : 2025 (4) Crimes 375 held that Atrocities offence - where complaint itself shows that alleged abusive words were spoken inside a private premises and only in presence of parties concerned, requirement of “public view” is not satisfied - therefore no prima facie offence u/s. 3(1)(s) of SC/ST Act is made out.”

૧૧. આ કામે ફરીયાદપક્ષે કરવામાં આવેલ ફરીયાદ સાથે આંક - ૨૧ થી ૨૪ થયેલ ફરીયાદીની જુબાની જોવામાં આવે તો ફરીયાદીએ પોતાના મૌખિક પુરાવામાં જણાવેલ છે કે દોઢ વર્ષ પહેલા સાંજના પાંચેક વાગે તે અને તેની બેબલી દુધ લેવા જતા હતા ત્યારે ઘણા લોકોનું ટોળું તેના ઘરની પાસે આવેલ અને ટોળામાં જે લોકોના નામ હતા તે ફરીયાદમાં લખાવેલા. આ આરોપીઓએ બનાવ સમયે દાડૂ પીધેલ હતો અને રમેશભાઈના છોકરાએ મને કપાળના ભાગે તલવાર મારેલી, બીજા આરોપીએ પાઈપ મારેલ, ત્રીજા આરોપીએ લાકડી મારેલ, ચોથા આરોપીએ પાછળથી ઈંટ મારેલી. આરોપીઓના નામ મને આવડતા નથી, હું તેમને ચહેરાથી ઓળખી

શકું, બનાવ સમયે મેં બુમાબુમ કરતા મારી પત્ની તથા દીકરીએ આવીને મને વધુ મારમાંથી છોડાવેલ. આરોપીઓ ઘમકી આપી જતા રહેલા. તે બાબતે ફરીયાદ આપેલી અને આંક - ૨૨ થી ફરીયાદી રજુ કરેલ છે.

૧૨. જ્યારે આંક - ૨૨ થી ફરીયાદ જોવામાં આવે તો તેમાં મા બેન સામે ગાળો આપી અને જાતી વિષયક અપમાનીત શબ્દો કહેલા. તેવો કોઈ પુરાવો રજુ નથી.
૧૩. આંક - ૨૫ થી તપાસવામાં આવેલ સુરજબેન જેયસીંગ માજીરાણા તો કંઈક અલગ જ જુબાની આપે છે. તેઓ જણાવે છે કે તેના પતિ બપોરે જમવા સમયે છાસ લેવા જતા હતા ત્યારે ૩-૪ જણા દારૂ પીધેલી હાલતમાં ગાળો બોલતા જતા હતા અને તેમના પતિએ કહેલ કે રસ્તામાં ગાળો ન બોલો તો આરોપીઓએ ઉશ્કેરાઈને પાઈપ, લાકડી, તલવારથી હુમલો કરેલ અને તેના પતિએ રાડારાડી કરતા તે તથા તેની દીકરી અને જેઠાણી લોડાવા ગયેલ. આરોપીઓ ઘમકી આપી જતા રહેલા.
૧૪. આંક - ૩૭ થી ફરીયાદીના દીકરી સોનલબેન મુકેશભાઈ માજીરાણાને તપાસવામાં આવેલ છે તેઓએ જણાવેલ છે કે તેના પિતા છાઈ લેવા ગયેલા ત્યારે આરોપી અતુલ, વાલો, ત્રીજા ભોળોચો અને ચોથો પરેશ તલવાર, પાઈપ, ખીલાસળી, ઘોરા જેવા હથિયારો લઈ આવેલા અને તેના પિતાને માથામાં અને શરીરે માર મારેલ અને તે તથા તેના માતા અને કાકીએ મારમાંથી છોડાવેલા અને ત્યાંથી ઘમકી આપી જતા રહેલા.
૧૫. બનાવ અંગે ફરીયાદીને આંક - ૨૨ તથા આંક - ૨૧ ની ફરીયાદીની જુબાની તથા આંક ૨૫ અને આંક ૩૭ ની જુબાની જોવામાં આવે તો ગાળો આપ્યા બાબતે જે રજુઆત છે તેના શબ્દો રેકર્ડ ઉપર નથી, તેથી કલમ ૨૯૪ (ખ)

નો પુરાવો નથી. ઘમકી આપ્યાની રજુઆત છે પરંતુ કલમ ૫૦૬ (૨) ના સંદર્ભનો પુરાવો નથી. ત્યાર બાદ એટ્રોસીટી એક્ટની કલમ ૩ (૧) અને ૩ (૨) (૫) નો પુરાવો નથી. આવા તબક્કે ભારતીય દંડ સંહિતાની અન્ય કલમોનો પુરાવો જોવામાં આવે તો હથીયાર રીકવરીના પંચો હોસ્ટાઈલ છે, રીકવરી પંચનામા તપાસ કરનાર અધીકારીના પુરાવાથી નીચેની રીતે પુરવાર થયેલા નથી.

### **(I) PROOF OF PANCHNAMA**

- \* Hon'ble Supreme Court in case of Rajesh v State of MP reported in 2023 INSC 839 decided on 21<sup>st</sup> September 2023 in Criminal Appeal No(s). 793-794 of 2022 held that 29. Recently, in [Ramanand @ Nandlal Bharti vs. State of Uttar Pradesh](#) AIR 2022 SC 5273, a 3-Judge Bench of this Court observed that the requirement of law that needs to be fulfilled before accepting the evidence of discovery is by proving the contents of the panchnama **and the Investigating Officer, in his deposition, is obliged in law to prove the contents of the panchnama.** It was further observed that it is only **if the Investigating Officer has successfully proved the contents of the discovery panchnama in accordance with law that the prosecution would be justified in relying upon such evidence and the Trial Court may also accept the same.** It was held that, in order to enable the Court to safely rely upon the evidence of the Investigating Officer, it is necessary that the exact words attributed

to the accused, as the statement made by him, be brought on record and, for this purpose, the Investigating Officer is obliged to depose in his evidence the exact statement and not merely say that the discovery panchnama of the weapon of the offence was drawn up as the accused was willing to take it out from a particular place.

- \* Gujarat High Court in case of Kapilkumar Ramashish Chandeshwar ... vs State Of Gujarat on 5 September, 2023 NEUTRAL CITATION R/CR.A/931/2015 CAV JUDGMENT DATED: 05/09/2023 held that “29. The Apex Court has held that in case the panchas to the discovery panchanama do not support the case of the prosecution and are declared hostile, the contents of the panchanama can be proved and the panchnama can be accepted as a legal evidence through the evidence of the Investigating Officer. It is held that the Investigating officer is under an obligation to prove the contents of the panchanama, and only if he is successfully proves the contents the trial court may accept the evidence of the Investigating Officer. The Supreme Court has affirmatively stated that "In order to enable the Court to safely rely upon the evidence of the investigating officer, it is necessary that the exact words attributed to an accused, as statement made by him, be brought on record and, for this purpose the investigating officer is obliged to depose in his evidence the exact statement and not by merely saying

that a discovery panchnama of weapon of offence was drawn as the accused was willing to take it out from a particular place."

\* Supreme Court of India in Ramanand @ Nandlal Bharti vs The State Of Uttar Pradesh on 13 October, 2022 reported in AIR 2022 SC 5273 held that 56. The requirement of law that needs to be fulfilled before accepting the evidence of discovery is that by proving the contents of the panchnama. The investigating officer in his deposition is obliged in law to prove the contents of the panchnama and it is only if the investigating officer has successfully proved the contents of the discovery panchnama in accordance with law, then [in that case](#) the prosecution may be justified in relying upon such evidence and the trial court may also accept the evidence." AND "62. In the aforesaid context, we may refer to and rely upon the decision of this Court in the case of [Murli v. State of Rajasthan](#) reported in (2009) 9 SCC 417, held as under: "34. The contents of the panchnama are not the substantive evidence. The law is settled on that issue. What is substantive evidence is what has been stated by the panchas or the person concerned in the witness box....."

\* Gujarat High Court Mahesh Parbatbhai Surela Koli vs State Of Gujarat on 30 July, 2025 NEUTRAL CITATION R/CR.A/2731/2008 JUDGMENT DATED: 30/07/2025 HELD THAT "We may refer the

language of Section 27 which says that, when any fact is deposed to as discovered in consequences of information received from a person accused of any offence, in police custody and if the information relates distinctly to the fact discovered, the said confession may be presumed to be true. Thus, in the facts of present case, the evidence of discovery as relied by the prosecution is not reliable and trust worthy as the alleged weapon is found in an open and accessible place and direct link between the accused statement and his exclusive knowledge of the weapon's concealment is severed. The another infirmities we have found in the prosecution case on the admissibility of disclosure statement made during the discovery and recovery. The witnesses of discovery panchnama Exh.173 and the I.O. PW:38 failed to prove the contents of the panchnama as mandated by the Supreme Court in the case of Ramanand vs. State of U.P. (2022) Livelaw SC 843. The Supreme Court has emphasized that, the contents of discovery panchnama must be proved by the prosecution before accepting the evidence of discovery and there is an obligation on the part of I.O. to prove the contents of discovery panchnama. In the present case, upon careful examination of the oral as well as documentary evidence, neither the panchas, nor the I.O. have deposed the exact statement and/or words uttered by the accused on the aspect of discovery of facts and

recovery of weapon. In view of the settlement position of law and the evidence adduced by the prosecution in the present case, the evidence of discovery in the form of disclosure statement and recovery of weapon at the instance of accused-appellant is not proved and established and the same cannot be read in evidence against the accused.”

૧૬. આંક - ૪૦ ની મેડીકલ ઓફીસરની જુભાની જોવામાં આવે તો તેણે જણાવેલ છે કે ઈજા ગ્રસ્ત ભાનમાં હતા અને તેણે એવી હિસ્ટ્રી આપેલી કે અતુલભાઈ વાલાભાઈ અને જીજ્ઞેશભાઈએ ઘોઠા અને લાકડી વડે હુમલો કરેલો. તેઓના અભિપ્રાય મુજબ સખત અને બોથડ પદાર્થથી થઈ શકે તેવી ઈજા હતી. અહીં તલવારની કોઈ ઈજા નથી.
૧૭. આમ, પુરાવાનું સમગ્રપણે મુલ્યાંકન કરવામાં આવે તો ગાળોમાં બોલેલા શબ્દો, જાતી વિષયક અપમાનીત શબ્દો, મોતની ઘમઝીનો પુરાવો, કહેવાતા તલવારથી હુમલાના સમર્થન કારક પુરાવાનો અભાવ હોવાથી રજુ થયેલા પુરાવા ઉપર આધાર રાખી કોઈ સજા થઈ શકે નહીં. તેથી મુદ્દા નં.૧ નો જવાબ નકારાત્મક આપી, મુદ્દા નં. ૨ અંગે નીચે મુજબનો આખરી હુકમ કરવામાં આવે છે.

**—: આખરી હુકમ :—**

- (૧) આ કામે આરોપીને ફોજદારી કાર્યવાહી સંહિતાની કલમ-૨૩૫(૧) અન્વયે, ડીસા શહેર ઉત્તર પો.સ્ટે.ફ.ગુ.ર.નં.૩૩/૨૦૧૮, ઈ.પી.કો.કલમ-૩૨૩, ૩૨૪, ૩૨૬, ૨૯૪(ખ), ૫૦૬(૨), ૧૧૪ તથા એટ્રોસીટી એક્ટની કલમ-૩(૧)આર એસ, ૩(૨), ૫ મુજબના શિક્ષાપાત્ર ગુનામાંથી નિર્દોષ ઠરાવી છોડી મુકવા હુકમ કરવામાં આવે છે.
- (૨) આ કામે તપાસ દરમિયાન કબજે કરેલ મુદામાલ હથીયાર અપીલ સમય

બાદ ક્રિમીનલ પ્રોસીઝર કોડ તથા ક્રિમીનલ મેન્યુઅલની જોગવાઈ અન્વયે નિકાલ કરવા હુકમ કરવામાં આવે છે.

- (૩) અપીલ થશે તો આરોપીઓ હાજર રહેશે તે મતલબના રૂ.૬૯૯ હાજર ના જમીન અને તેટલી જ રકમના જાત મુચરક છ માસ માટેના ક્રિમીનલ પ્રોસીઝર કોડ કલમ ૪૩૭ અ મુજબના રજૂકરવા

હુકમ આજરોજ તા. ૨૮ મી, માહે-એપ્રિલ, સને ૨૦૨૬ ના રોજ ખુદી અદાલતમાં વાંચી, સંભળાવી જાહેર કર્યો.

તા.૨૮/૦૪/૨૦૨૬

(એસ.એમ.કાનાબાર)  
સ્પેશિયલ એટ્રો. જજ અને  
છટ્ટા એડીશનલ સેશન્સ જજ,  
બનાસકાંઠા એટ ડીસા.  
Code No. GJ00814

**PROCEEDINGS**

28/4/2026	Matter is listed
89	Judgment declared
	Disposed of accordingly

(Shilpa Mansukhlal Kanabar)  
6<sup>th</sup> Sessions Judge (Spl.Atro)  
Banaskantha at Deesa  
Code – GJ00814