

MHRG170000532023



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL-RAIGAD
AT : PANVEL
ORDER BELOW EXHIBIT NO.1
IN CRIMINAL MISCELLANEOUS APPLICATION NO.6/2023
(DATED 28/04/2025)

This application is filed by original complainant/victim of crime, to provide adequate facilities, compensation, rehabilitation, financial assistance, as per section 21, 15(A), Rule 11, 12 (4A) (4B), 6 and 7 of The Scheduled Caste Schudeled Tribes (Prevention of Atrocities) Act 1989, amended Act 2015-16.

2] The applicant submits that, respondent No.1 is state of Maharashtra represented by District Collector. Respondent No.2 is Assistant Commissioner of Social Justice and Special Assistant (District Social Welfare Officer), respondent No.3 is Assistant Commissioner of Police. Respondent No.4 is Managing Director of Crown Worldwide Pvt.Ltd. MIDC Taloja. The applicant is victim in C.R.No.28/2021, registered with Taloja police station for offence p/u/sec.3(1) (za)(E) and section 3(2) (va) of The Scheduled Caste Scheduled Tribes (Prevention of Atrocities) Act 1989. It is submitted that, charge-sheet is filed against accused named in FIR. It is submitted that, applicant applied for reinstatement, restoration of his job. However no relief is granted to him till date.

The applicant and his family members are suffering starvation. Hence, applicant is seeking directions to respondent No.1 and 2 to provide compensation, rehabilitation by restoring his job. Further applicant has prayed for rehabilitation by respondent No.4 alongwith all his dues.

3] Respondent No.4 appeared and has filed his reply at Exh.13.

4] Respondent No.1 and 2 are duly served. Ld.APP Shri Bhopi has appeared on behalf of State. Admittedly till date State has not filed say to application.

5] There is no dispute that, present applicant Pankaj Hanumant Babar is victim in crime bearing FIR No.28/2021 registered with Taloja police station on 30/01/2021. I have gone through FIR. Prima facie applicant who is victim of crime has made out allegations in FIR about his financial humiliation. In such circumstances State has to immediately compensate victim. The amended provisions of The Scheduled Caste Scheduled Tribes (Prevention of Atrocities) Act 1989, Chapter IV-A Section 15-A, Sub-section 11, clause (f) provides that, State has to implement a scheme to ensure providing maintenance expenses to atrocity victims and their dependents.

6] Thus present respondent No.1 and 2 are statutorily liable to pay requisite compensation to victim of a crime registered

under The Scheduled Caste Scheduled Tribes (Prevention of Atrocities) Act 1989. For these following order is passed.

ORDER

1. Respondent No.1 State of Maharashtra represented by District Collector, respondent No.2 is Assistant Commissioner of Social Justice and Special Assistant (District Social Welfare Officer) are hereby directed to provide the necessary compensation to applicant who is victim of crime as per section 15-A of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Respondent No.1 and 2 shall comply within next 15 days and shall submit its compliance report to this Court.
3. Copy of order is given to applicant/victim free of costs.
4. Copy of order be sent to respondent No.1 and 2 for necessary compliance forthwith.
5. Adjourn for further hearing against respondent no.4 till 13/05/2025.

Panvel
Date :- 28/04/2025

(Jairaj D. Wadne)
Additional Sessions Judge,
Panvel-Raigad

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the stenographer	: S.J.Sheth
Name of the Court	: Additional Sessions Judge, Panvel Raigad
Date of dictation (direct)	: 28/04/2025
Order signed by the P.O.on	: 28/04/2025
Order uploaded on	: 29/04/2025