

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL APPEAL NO. 284 of 2008**

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THE STATE OF GUJARAT**Versus****PRAVINBHAI BHIMJIBHAI AANKOLIYA & 4 other(s)**

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Appearance:**Ms. Monali Bhatt, Addl. PUBLIC PROSECUTOR for the Appellant(s)**
No. 1**MR DHAVAL M BAROT(2723) for the Opponent(s)/Respondent(s) No.**
1,2,3,4,5

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CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE**Date : 23/08/2023****ORAL ORDER**

1. Ms. Bhatt, learned APP has submitted that present appeal is at the instance of State, challenging the judgment and order of acquittal for the offences punishable under Sections 143, 149, 323 and 506(2) of the Indian Penal Code and Section 3(1)(10) of the Atrocity (Prevention of Scheduled Caste and Scheduled Tribe) Act. She has invited attention of this Court to the amendment being brought in Section 15 of the Atrocities Act, more particularly insertion of sub-section 5 of Section 15A and has submitted that the presence of the victim would be required at the stage of final hearing of the present appeal. She has, therefore, prayed to issue notice upon the complainant – victim.

2. Considering the amendment incorporated in Atrocities Act, without entering into the issue of whether said insertion is retrospective or prospective, I deem it proper to permit to join the first informant – complainant as party respondent to the present proceedings. The appellant State is permitted to amend the

cause title of the Appeal accordingly.

3. Let, Notice be issued upon the complainant -newly added respondent making it returnable on 27.09.2023. To be served through the concerned police station.

KAUSHIK J. RATHOD

(NISHA M. THAKORE,J)