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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 90 OF 2015

Govind Ramrao Deshmukh

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

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Mr. V. D. Salunke h/f Mr. V. V. Deshmukh, Advocate for applicant
Mr. N. B. Patil, APP for respondent State

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[CORAM : T.V.NALAWADE, J.]

DATE: 28th JANUARY, 2015

ORDER:

1. The application is for relief of anticipatory bail. Both sides are heard. This Court has perused papers of investigation.
2. Crime is registered on the basis of a report given by one Village Development Officer. He belongs to Scheduled Caste. The incident in question took place on 5th December, 2014 at about 1.30 p.m. When the complainant and his colleagues were present in the office, the applicant, who does not belong to Scheduled Caste or Scheduled Tribe, came there. As the applicant had no work with the complainant, the complainant did not pay attention to the applicant, but the applicant became

angry due to that. Then, all of a sudden, the applicant held shirt of the complainant, gave abuses by taking name of caste of the complainant and gave him fists and kick blows. This incident was witnessed by the colleagues of the complainant. Present applicant virtually threw away files of the office also. The crime came to be registered for the offence punishable u/s 3 (i) (x) of the Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act. And u/s 353, 332, 323 and 504 of the Indian Penal Code.

3. Police papers show that the applicant is in a habit of assaulting public servants and crime No. 14 of 2008 was also registered against him. Even crime under Prohibition of Damage to Public Property and Criminal Law Amendment Act is also registered against him. Crime for an offence punishable u/s 354 of the Indian Penal Code and chapter cases are registered against him for taking preventive action. The report shows that the applicant thinks that he is of a higher caste and he is entitled to more respect than the persons of other caste. He is virtually creating rift in the village between two castes - higher and lower castes.

4. In view of aforesaid and the police report, this Court holds that discretionary relief cannot be granted in his favour.

Incidents of assault against public officers are increasing day by day. People should learn a lesson and if lenient view is taken, they will continue to repeat such incidents.

5. In the result, the application is rejected.

6. The aforesaid observations are for the purpose of present proceedings only.

[T.V.NALAWADE, J.]