

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 2543 OF 2014

SAU.KAMAL RAMESH BALSANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Jadhav Vinod B
APP for Respondent No.1: Mr. M. M. Nerlikar.
Advocate for Respondent Nos.2 to 8: Mr. N. B. Narwade.

CORAM: T. V. NALAWADE, J.
DATED: 10th FEBRUARY, 2015.

PER COURT:

1. The application is filed for relief of cancellation of order of anticipatory bail made in Criminal Application No.34 of 2014 which was pending in the Court of Additional Sessions Judge, Sangamner. Learned Additional Sessions Judge has granted the relief in Crime No.34 of 2014 registered in Sangamner Police Station for offences punishable under sections 452, 354-A, 149 etc. of I.P.C. and section 3 (1) (x) (xi) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act. Both the sides are heard. Learned A.P.P. is also heard.

2. The crime is registered on the basis of report given by one lady belonging to scheduled caste. She has contended that there was some dispute over laying of pipeline for supply of drinking water and due to first incident dated 25th February, 2014 Respondent Radhu Khemnar had given report to the person of his side like Ganesh Balsane. It is her case that on 26th February, 2014 in the morning the quarrel again started for the same reason and during quarrel all the respondents gave beating to her and particularly to her husband and during the incident they entered their house. They insulted the lady members of the house. They misbehaved with them and they gave abuses by taking name of their cases which is scheduled caste.

3. Learned Additional Sessions Judge has observed that the basic ingredients of the offence are missing. Allegation show that the alleged incident took place inside of the house. Submissions made show that the charge sheet came to be filed on 21st April, 2014.

4. Considering the nature of dispute and the conduct of the groups of taking the pipelines to their house, though there was no proposal of village Panchayat, this Court holds that there is no possibility of interference in

the order made by learned Additional Sessions Judge.
The application is rejected. The observations are for the
purpose of the present proceedings only.

[T. V. NALAWADE, J.]

Dt.10/02/2015
ans/2543