

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2462 OF 2015

Sunil Rajdhar Patil & Anr.

.... APPLICANTS

V E R S U S

The State of Maharashtra

.... RESPONDENT

**WITH
CRIMINAL APPLICATION NO. 2245 OF 2015**

Aruna Nathu Patil & Ors.

.... APPLICANTS

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. P.S.Paranjape, Advocate for Applicants.

Mr. A.S.Shinde, A.P.P. for Resp.– State.

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CORAM : V.M.DESHPANDE, J.

DATE : 23rd JUNE, 2015

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PER COURT :

1. These are the two applications arising out of Crime No. 23/2015 registered with Devpur police station, Dist. Dhule for the offences punishable u/s 452,143,147,323,504, 506 of the Indian Penal Code, u/s 3 (i) (x) (xiv) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act and u/s 4 (8) of Protection of Civil Rights Act.

2. Heard Mr. P.S.Paranjape, learned counsel for the applicants and Mr. A.S.Shinde, learned A.P.P. for respondent – State.

3. F.I.R. is lodged by Kalpana on 13/03/2015 for the alleged incident dated 12/07/2014. Thus, there is good seven months delay in lodging F.I.R. At least prima facie, there is nothing on record to show that the prosecution has properly explained the said delay. Further, even according to the F.I.R. and if it is read in its true perspective, the alleged incident of utterances in the name of caste are uttered inside the house and thus it is not within the public view.

4. Learned A.P.P. submitted that the Investigating Officer has already completed the entire investigation and the charge sheet is filed. This Court has already protected the applicants by interim order dated 07/05/2015 and 28/04/2015. There is no complaint on the part of the prosecution that from the date of protection granted in favour of the present applicants till today they have mis-used the liberty granted to them.

5. In that view of the matter, interim orders dated 07/05/2015 and 28/04/2015 stand confirmed.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 2462.....2015