

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

CRIMINAL APPLICATION NO.5072 OF 2015

1. Rajaram Eknath Dhurpate,
Age 41 years, Occu. Agri.,
R/o Jamgaon, Taluka Parner,
District Ahmednagar
 2. Sampat Kushaba Pawar,
Age 45 years, Occu. Agri.,
R/o Jamgaon, Taluka Parner,
District Ahmednagar
- ..Applicants

Versus

1. The State of Maharashtra
through Parner Police Station,
District Ahmednagar
 2. The District Superintendent of
Police, Ahmednagar
- ..Respondents

Mr S.T. Shelke, Advocate for applicants
Mr S.R. Palnitkar, A.P.P. for respondents

CORAM : N.W. SAMBRE, J.

DATE : 1st October 2015

PER COURT

Heard.

2. Perused the contents of the complaint. The applicant No.2
Sampat Kushaba Pawar is not named in first information report.

3. Apart from above, it is noticed that upon plain reading of first
information report, attraction of Section 3 (1) (x) (xi) of Scheduled
Castes and Scheduled Tribes (Protection of Atrocities) Act is itself
under cloud. Apart from above, the offence under Section 354, 323,
143, 147 of the Indian Penal Code in the background of the allegations
made in the first information report are having political colour is

required to be taken into account while granting protection. As such I proceed to pass following order:

(I) In the event of arrest, the applicant No.2 – Sampat Kushaba Pawar be released in Crime No.I-99/2015 registered at Parner Police Station, District Ahmednagar for the offences punishable under Sections 354, 323, 147, 147 of the Indian Penal Code and under Section 3 (1) (x) (xi) of Scheduled Castes and Scheduled Tribes (Protection of Atrocities) Act, upon furnishing P.R. Bond of Rs.10,000/- with one surety in the like amount.

(II) The applicant – Sampat Kushaba Pawar shall attend Police Station, Parner for two days between 10.00 am to 11.00 am.

(III) The applicant Sampat Pawar shall not enter the jurisdiction of Parner Police Station till completion of investigation, except for attending the Police Station for the present proceedings.

4. The application of applicant No.1 - Rajaram Eknath Dhurpate stands rejected.

5. Criminal Application stands disposed of in above terms.

(N.W. SAMBRE, J.)

vvr