

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [ABA] No. 235 of 2015
[Kirankumar Chandrakant Gahukar Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. N.R. Saboo, Adv., for the Applicant.
Mrs. Joshi, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 12th June, 2015.

Heard learned counsel for the rival parties.

The offence is registered against the applicant under Sections 354 and 452 of Indian Penal Code, and 3 (1) (xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

The complainant, who is a married woman belonging to "Gond" Scheduled Tribe, lodged the report against the applicant. Mr. Saboo, learned counsel for the applicant, submits that she having married a person belonging to Other Backward Class, lost such status as Gond, Scheduled Tribe. He relied on the decision of this Court in the case of **Daulatrao Nanasaheb Pisal Vs. Bhuinj Police Station & others** [1998 ALL Mr (Cri)

1181].

The other offences registered against the applicant are serious and all the more serious when the applicant did not bother to think that the crime he was committing was against a married woman by outraging her modesty, which is a serious offence. Hence the application is dismissed. Applicant is at liberty to apply for regular bail before the learned Trial Judge.

Judge

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