

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1034 OF 2016

1. Babasaheb s/o Karbhari Jagtap,
Age : 38 years, Occu. Service
2. Sangeeta w/o babasaheb Jagtap,
Age : 28 years, Occu. Household
3. Sarika w/o Babasaheb Jagtap,
Age : 26 years, Occu. Household
and Education

All r/o Savata Nagar, Phulewadi
Road, Vaijapur, Tq. Vaijapur,
District Aurangabad

APPLICANTS

VERSUS

The State of Maharashtra,
through Police Inspector,
Police Station, Vaijapur,
Tq. Vaijapur, Dist. Aurangabad

RESPONDENT

Mr. N.D. Sonavane, Advocate for the applicants
Mr. S.Y. Mahajan, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 08/03/2016

ORAL ORDER :

1. Heard both sides.
2. The present applicants, who are apprehending
their arrest at the hands of Vaijapur Police Station,

District Aurangabad in Crime No. I-35/2016, registered for the offences punishable under section 354 and 323 of the Indian Penal Code and under section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, are praying for their release on bail in the event of their arrest.

3. The interim protection was already granted by this court to the present applicants vide order dated 22nd February, 2016.

4. Upon hearing both sides, it is gathered that while the alleged incident has occurred on 26th January, 2016 at 9.00 a.m., the FIR came to be filed on 8th February, 2016. Besides, though in the FIR, it is alleged that insult of the husband of the complainant was caused by the present applicants over his caste, the papers submitted by the learned A.P.P. for perusal would show that one of the eye witnesses i.e. Gayabai has stated that only certain altercations took place due to the touching of the four-wheeler to a two-wheeler of the complainant's husband. In that view of the matter, the interim protection granted to the present applicants deserves to be made absolute. Hence, the following

order.

5. The interim protection granted to the present three applicants by this Court, vide order dated 22nd February, 2016 is hereby made absolute on the same terms and conditions. The present application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln1034-2016