

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4380 OF 2015

Shri Ankush Anandrao Keripale

.. Petitioner

Vs.

The State of Maharashtra and anr.

.. Respondent

Mr. Wasim Samlewale i/by U. R. Mankapure for the petitioner.

Mrs. S. D. Shinde, APP for State.

CORAM: NARESH H. PATIL &
A. M. BADAR, JJ.

APRIL 11, 2016.

P.C.

1. The petitioner prays for quashing and setting aside the criminal proceedings in C.R. No. 90 of 2015 (charge-sheet No. 77 of 2015) filed by the Investigating Agency, Sanjay Nagar Police Station, District – Sangli for offences punishable under Sections 323, 504, 506 of the Indian Penal Code read with Section 3(1)(x) of the S.C. & S.T. (Prevention of Atrocities) Act and under Section 7(1)(d) of the Protection of Civil Rights Act.

2. Learned counsel for the petitioner submits that as a counter blast to complaint/N.C. No. 124 of 2015, the subject criminal proceedings

were initiated against him by the complainant – respondent no.2 herein. It is further submitted that the parties are litigating the civil disputes. Out of vengeance and grudge a false complaint was filed by the respondent no.2 against the petitioner.

3. We have perused the record, statements recorded during the course of investigation. The record reveals that the petitioner had made utterances of objectionable nature inviting penal consequences of the above stated act, as per the statements recorded by the Investigating Agency.

4. Therefore, prima facie, from the material placed before us we are not inclined to interfere in the matter at this stage for quashing and setting aside the criminal proceedings pending against the petitioner. However, the petitioner may raise appropriate defences during the course of trial. We do not express any conclusive opinion on the merits of the case.

5. Petition is dismissed.

(A. M. BADAR, J.)

(NARESH H. PATIL,J.)