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

CRIMINAL APPLICATION NO.233 OF 2017

1. Ganesh s/o Narayan Deshmukh,
Age: 32 years, Occ: Agri.,
R/o. Warapgaon, Taluka Kaij,
District Beed.
2. Bajirao s/o Narayan Deshmukh,
Age: 37 years, Occ: Advocacy,
R/o. Warapgaon, Taluka Kaij,
District Beed. ..APPLICANTS

VERSUS

The State of Maharashtra
Through Kaij Police Station,
Taluka Kaij, District Beed. ..RESPONDENT

Mr N.B. Khandare, Advocate h/f Mr S.S.Gangakhedkar,
Advocate for applicants;
Mr S.M. Ganachari, Addl. Public Prosecutor for
respondent

CORAM : N.W. SAMBRE, J.

DATE : 7th FEBRUARY, 2017

ORAL ORDER :

It is to be noted that but for offence punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act in Crime No.187 of 2011, registered with Kaij Police Station, District Beed, rest of the offences are bailable.

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2. My attention is invited by learned Counsel for the applicants to the fact that the complainant has approached this Court through an affidavit in one collateral proceedings and also with the Investigating Officer that he wanted to settle the matter and he does not want to pursue offence qua Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. In this background, in my opinion, having regard to the fact that crime came to be registered in 2011 and the investigation in the matter is almost complete, custodial interrogation of the applicants is not warranted.

4. In view of above, ad interim protection granted to the applicants by this Court vide order 13th January, 2017, deserves to be confirmed.

5. In view thereof, I, pass following order:-

In the event of arrest of the applicants, in connection with C.R. No. 187 of 2011, registered

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with Kaij Police Station, Dist. Beed, for offences punishable under Section 143, 147, 149, 323 of the Indian Penal code and Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, they be released on bail, on each of them furnishing P.R. Bond of Rs. 15,000/- with one or two sureties in the like amount.

The applicants shall not take any steps to influence the prosecution witnesses or tamper with evidence.

6. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

Tupe