

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (BA) NO. 547 OF 2017

(SUKHRAM S/O RAMRAO UGALE AND OTHERS...VS.. STATE OF MAH. THR. P.S.O. PS DHAD, DIST.
BULDHANA AND ANOTHER)

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

Court's or Judge's orders

Shri. N. B. Kalwaghe, Advocate for Applicants.
Shri. A. D. Sonak, A.P.P. for Non-applicants.

CORAM : Z.A.HAQ, J.

DATED : 23rd JUNE, 2017.

Heard.

The applicants are arrested in crime registered against them for the offences punishable under Sections 354, 354-B, 324, 323, 143, 147, 148, 294, 506 of the Indian Penal Code and Sections 3(2)(va), 3(1)(d), 3(1)(e), 3(1)(r), 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The crime is registered on the complaint of Radhabai Gulabrao Umbarkar that while she along with her husband and son was entering the village, the accused assaulted all three of them and hurled abuses alleging that they had committed theft. The complainant has alleged that the accused stripped her in public and assaulted her.

The learned advocate for the applicants has submitted that First Information Report does not disclose anything on the basis of which crime for the offences punishable under Sections 354, 354-B, 324, 323, 143, 147,

148, 294, 506 of the Indian Penal Code and Sections 3(2) (va), 3(1)(d), 3(1)(e), 3(1)(r), 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, can be registered against the applicants. It is further submitted that the complainant, her husband and son are habitual offenders and about 15 crimes are registered against them and First Information Report for the theft committed by them on the date of incident is also lodged.

All the applicants claim to be agriculturists. The non-applicant has not been able to show that the custody of the applicants is required for further investigation.

Considering the nature of accusations against the applicants and the facts of the case, the following order is passed :

The applicants having been arrested in Crime No.143 of 2017 registered by the non-applicant, they be released on bail on executing P. R. Bond for Rs.20,000/- each.

The application is **allowed** in the above terms.

JUDGE

PBP