

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.459 OF 2018
IN
CRIMINAL APPEAL (ST.) NO. 281 OF 2018**

Mr. Shashikant Chandrakant Raut Applicants
& Anr.

Vs.

The State of Maharashtra & Anr. Respondents

Mr. Paras Yadav for the Applicants.
Mr. Y.M. Nakhwa APP for the State.

**Coram : Smt. Sadhana S. Jadhav, J.
Date : 21st November, 2018**

P.C.:

1 This is an application seeking condonation of delay in filing criminal appeal seeking pre-arrest bail under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. For the reasons assigned in the application, the delay is condoned and the application is disposed of.

2 The notices were issued to the original complainant, however the office report shows that the respondent was residing at

the given address five years back on rental basis and after 3 to 4 months stay, he had shifted to new address, which is not known to anyone.

3 In the present case, the learned Magistrate, Satara had issued notice under Section 202 Cr.P.C. The complaint is of the year 2011. The report was filed on 25th June 2013, wherein the police had informed to the Court that the complainant was not found at the given address and his whereabouts are not known and therefore, it would not be necessary to issue fresh notice to the complainant.

4 Upon perusal of the complaint, it prima facie appears that the complainant was married to the daughter of applicant no.1 and therefore there were disputes between both the families. That the complainant and his wife, Shraddha have lodged a report at the police station against applicant no.1, who happens to be the father of Shraddha. No cognizable offence was made out, the police had not taken any action and therefore the private complaint was filed. It is

submitted that Shraddha is residing with applicant no.1. The marriage is also disputed and being aggrieved by the same, the applicants have been falsely implicated. It is, in view of this the applicants deserve interim relief. Hence, the following order :

O R D E R

- i) By way of ad-interim relief, in the event of arrest, the applicants be enlarged on bail on furnishing P.R. bonds of Rs.25,000/- each with one or two solvent sureties in the like amount.
- ii) Learned APP waives service and seeks time to call for papers of investigation. Stand over to 5th December 2018.

(*Smt. Sadhana S. Jadhav, J*)