

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

CRIMINAL APPLICATION (ABA) 263 OF 2018

(Rashid Ali s/o. Shaukat Ali...vs.. State, thr PSO Kotwali, Tah. Dist. Amravati)

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

Court's or Judge's orders.

Shri A.Z. Mirza, counsel for applicant.
Shri S.S.Doifode, APP for non-applicant.

CORAM: ROHIT B. DEO, J.

DATE: 9th July, 2018.

Heard.

2 The applicant is apprehending arrest in Crime
134 of 2018 registered with Police Station Kotwali,
Amravati City for offence punishable under section 354, 294
and 504 read with section 34 of the Indian Penal Code. The
offences were registered on the basis of report dated
15.3.2018 lodged by one Smt. Surekha Dongre.

3 The accusation against the present applicant is
that he caught hold of the hand of the complainant, pulled
her saree and made her fall down on the ground. The
breasts of the complainant were uncovered since the saree
was pulled of her body, is the accusation.

4 Perusal of the case diary would reveal that other
than the statement of the complainant, there are eye
witnesses to the incident. The applicant has several criminal
antecedents to his discredit, although, the learned counsel
for the applicant by inviting my attention to an affidavit
dated 2.5.2018, has made an endeavor to persuade this

Court that the applicant is either falsely implicated or is discharged. I am not inclined to agree with the said submission. Moreover, there is absolutely no material to suggest that the complainant has falsely implicated the applicant or that the complainant has any nexus with one Rammu alias Rahamatkhan, against whom the complainant has made several complaints, if the submission of the learned counsel for the applicant is to be accepted.

5 Prima facie, the modesty of a women is outraged in a public place. This is not a fit case for this Court to exercise discretion in favour of the applicant. The application is without substance and is rejected.

JUDGE

RSB