

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO. 340 OF 2019**

Sadanand Posha Jadhav ] ...Appellant  
Versus  
The State of Maharashtra & Anr. ] ...Respondents

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Mr. S. R. Samel i/b Rajeev Sawant & Associates, for the Appellant.  
Mr. A. A. Palkar, APP for State/Respondent No.1.  
Mr. Dilip M. Godbole, SDPO, Ganeshpuri, Thane Rural.

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**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATE : 04TH MARCH, 2020.**

**P.C:**

- . Learned Counsel for the appellant seeks to withdraw the appeal.
2. This Court by an order dated 05<sup>th</sup> March 2019 ( CORAM : A. M. BADAR, J. ) granted ad-interim relief protecting the appellant from arrest in Crime No.313/2018 registered with Police Station Padgha, District – Thane Rural under Section 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989.
3. The Investigating Officer Mr. Godbole who is present today in the Court states that the custodial interrogation of the appellant is not required since charge-sheet has already been filed.
4. In view of the aforesaid circumstances, interim relief granted to the appellant by this Court on 05<sup>th</sup> March 2019 is recalled.
5. In view of the Judgment of the Supreme Court in case of ***Rukmini Mahanto Vs. State of Jharkhand reported in (2017) 15***

***Supreme Court Cases 574*** leave to withdraw the appeal is granted. However, the appellant shall surrender before the Trial Court within a period of one week from today.

6. Upon his failure, the Investigation Officer shall arrest the appellant and place him in custody.

7. It will open to the appellant to move an application for regular bail which will be considered on its merits by the Court of competent jurisdiction.

7. The appeal stands disposed of in the aforesaid terms.

8. Affidavit filed by SDPO is taken on record.

9. Unconditional apology is accepted.

**[PRITHVIRAJ K. CHAVAN, J.]**