

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

CRIMINAL APPEAL NO. 416/2020

Shrikushna J. Shingne
..VS..
State & anr.

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

Court's or Judge's orders

Shri K.P. Sadavarte, Advocate for the appellant
Shri S.J. Kadu, APP for the respondent no. 1

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.
DATED : 23/10/2020

1] Heard learned advocate for the appellant and
learned APP for the respondent no. 1 – State.

2] Issue notice to the respondent no. 2, returnable
on 05/11/2020.

3] The respondent no. 1 – Police Station Officer shall
ensure that report of service of notice of this appeal on the
respondent no. 2 is placed on record before the next date.

CRIMINAL APPLICATION (APPA) NO. 436/2020

4] Issue notice to the respondent no. 2, returnable
on 05/11/2020.

5] F.I.R. No. 312/2020 is registered with the respondent no. 1 – Police Station against the appellant for the offences punishable under Sections 376(2)(r), 294 and 506 of the Indian Penal Code and Sections 3(1)(12) amended Section 3(1)(r) (w) (i) (ii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. The F.I.R. is registered on the complaint made by the respondent no. 2 that the appellant sexually assaulted her. The F.I.R. is registered on 16.09.2020.

6] According to the respondent no. 2 – Informant, the appellant and respondent no. 2 were in relationship since 01/12/2018.

7] The appellant claims to be an agriculturist and has stated that any other crime is not registered against him.

8] Considering the facts of the case, prima facie, we are of the view that the appellant deserves interim protection.

9] Hence, the following order :-

In the event of arrest in connection with Crime No. 312/2020 registered with the respondent no. 1 – Police Station, the appellant be released on provisional bail on executing P.R. Bond for Rs. Twenty Thousand and one solvent surety in the like amount.

The appellant shall attend the respondent no. 1 - Police Station as and when summoned.

CRIMINAL APPLICATION (APPA) NO. 429/2020

10] Learned advocate for the appellant states that in view of the filing of Criminal Application (APPA) No. 436/2020, this application is not pressed.

11] The criminal application is **dismissed** accordingly.

JUDGE

JUDGE