

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1486 OF 2019

Balraj Ashok Guttedar
and Ors.

.....Appellants.

V/s.

The State of Maharashtra
and anr.

.....Respondents

* * * *

Mr. Ujwal Agandsurve, Advocate for the appellants.

Mr. A.D. Khmkhedkar, APP for State.

Coram : Sandeep K. Shinde, J.

Thursday, 25th November, 2021.

sP.C. :

1. It is an appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,. 1989 (“Atrocities Act” for short).

2. That vide order dated 19th November, 2019 notice was directed to the complainant and in the meanwhile, ad-interim pre-arrest protection was granted

to the appellants in Crime No.768 of 2019 registered with Sadar Bazar Police Station, Solapur for the offences punishable under Sections 417, 504, 506, 507 read with Section 34 of the Indian Penal Code and Sections 3(2)(Va) and 6 of the Atrocities Act.

3. Although, respondent no.2 has been served on 20th December, 2019 in view of the report of the MIDC Bosari Police Station, she has not caused her appearance till date.

4. I have perused the FIR. The primary evaluation of the allegations do not constitute the offence under the Act of 1989. Even otherwise, Mr. Khamkhedkar, on oral instructions submitted that the prosecution has filed "B" Summary. However, he does not know whether the summary report has been accepted by the Court of competent jurisdiction or not. A copy of the report under Section 173 Criminal Procedure Code is taken on record and marked "X-1" for identification.

5. In consideration of the facts of the case and in the event of arrest of the appellants in Crime No. 768 of 2019 registered with Sadar Bazar Police Station, Solapur,

they shall be released on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each with one or more sureties in the like sum.

6. Appeal is allowed and disposed of.

(Sandeep K. Shinde, J.)