

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

CRIMINAL APPLICATION [APPA] NO.320 OF 2021

IN

CRIMINAL APPEAL NO.211 OF 2021

[Rameshwar s/o Bhaskar Chavhan .vs. The State of Maharashtra and one]

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

Court's or Judge's orders

Shri N.B. Jawade, Advocate for appellant,
Ms T.H. Khan, APP for respondent no.1-State.

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CORAM : N.B. SURYAWANSHI, J.

DATED : MAY 21, 2021.

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

Heard.

Issue notice to the respondents, returnable after four weeks.

Learned APP waives service for respondent no.1-State.

Respondent no.2 to be served privately in addition to regular mode of service.

The appellant apprehends his arrest in connection with Crime No.263/2021 registered with Buldhana City Police Station for offences punishable under Section 376 (2) (n) of the Indian Penal Code, Sec. 3 (1) (w) (i) and 3 (1) (w) (ii) of the Scheduled

Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant is 22 years old lady. She alleges that the appellant established physical contact with her three times without her consent. The FIR does not make out any ingredients of Section 3 (1) (w) (i) and 3 (1) (w) (ii) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Considering the submission and the allegations in the FIR, the appellant has made out a case for interim protection. Hence, the following order :

O R D E R

In the event of arrest of the appellant in connection with Crime No.263/2021 registered with Buldhana City Police Station, District-Buldhana for the offences punishable under Section 376 (2) (n) of the Indian Penal Code, Section 3 (1) (w) (i) and 3 (1) (w) (ii) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellant be released on bail on furnishing a P.R. Bond in the sum of Rs.15,000/- with one surety of like amount.

The appellant shall attend the concerned investigating officer on every day between 10.00 am to 2.00 pm for a period of two weeks from today and

cooperate in investigation.

The appellant would be deemed to be in the custody of investigating officer for the purpose of Section 27 of the Indian Evidence Act.

The appellant shall not influence the prosecution witnesses.

Stand over after four weeks.

JUDGE