

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

CRIMINAL APPEAL NO.232 OF 2021

[Sudhakar s/o Sevroao Pawar and one .vs. 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 V.N. Patre, Advocate for the appellants,
Ms Shamsi Haider, APP for the respondent no.1.

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CORAM : N.B. SURYAWANSHI, J.
DATED : JUNE 16, 2021.

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

1. Heard.
2. Issue notice to the respondents, returnable after two weeks.
3. Learned APP waives notice for the respondent no.1-State.
4. In addition to the regular mode of service, private service is permitted, as per the Rules, to serve the respondent no.2.

CRIMINAL APPLICATION [APPA] NO.341 OF 2021 IN
CRIMINAL APPEAL NO.232 OF 2021

Heard.

2. The applicants-appellants apprehend their arrest in Crime No.98/2021 registered with Ansing Police Station, District-Washim for offences punishable under Sections 363, 366-A, 354-D, 305,

506 r/w 34 of the Indian Penal Code, Section 3 (2) (Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 11 (4) and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. It is alleged in the FIR that son of the applicant no.1 namely Gabrya eloped with minor daughter of the informant. When the informant enquired with the present applicants, though they knew the whereabouts of Gabrya and minor daughter of the informant, they did not disclose the same and feigned ignorance and told the informant to do whatever he can.

4. Taking into consideration the role attributed to the applicants, *prima facie*, no ingredients of offences punishable under Sections 363, 366-A, 354-D, 305, 506 r/w 34 of the Indian Penal Code are made out, so also no ingredients of offences punishable under section 3 (2) (Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are made out against the present applicants. The applicants, therefore, are entitled for interim protection.

5. In the event of arrest of the appellants-applicants in Crime No.98/2021 registered with Ansing Police Station, District-Washim, the applicants shall be released on bail on their executing P.R. Bond in the sum of Rs.15,000/- each with one surety in the like amount.

6. The applicants shall attend the concerned Police Station on everyday from 21 to 25 of June,

2021 between 10.00 am to 2.00 pm.

7. The applicants shall not influence the prosecution witness and/or tamper the prosecution evidence.

8. Criminal Application stands disposed of.

JUDGE