

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 753 OF 2021

Suresh Shamrao Patil ...Appellant
Versus
The State Of Maharashtra And Anr. ...Respondents

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Mr. Vaibhav V. Ugle, Advocate for the Appellant.

None for Respondent No.2.

Mr. S. R. Agarkar, APP for the Respondent – State.

Mr. Bhagat A. M., (Police Naik) Natepute Police Station, Dist. Solapur,
Present.

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CORAM : PRAKASH D. NAIK, J.
DATE : 26th JULY, 2022.

PER COURT:

1. This is an appeal under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The appellant is apprehending arrest in C.R. No.269 of 2021 registered with Natepute Police Station, Dist. Solapur Rural on 8th August, 2021 for offences punishable under Sections 354(A), 354(B) & 506 of Indian Penal Code (for short “IPC”) and Sections 3(1)(s)(w)(2), 3(2)(Va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 7(1)(d) of the Protection of Civil Rights Act, 1955.

3. The complainant has alleged that on 7th August, 2021, the accused/appellant approached her and abused her in filthy language. He caught her hand and tried to pull her in the sugercane field. She was threatened. Complainant's nephew heard her shouts and came to the spot. The accused/appellant ran away from the place of incident.

4. On perusal of the First Information Report (for short 'FIR') it is apparent that, it does not contain any abuses on the basis caste.

5. The appellant was granted interim relief by this Court vide order dated 15th September, 2021.

6. Learned APP submitted report of Sub Divisional Police Officer, Akluj Division Akluj dated 26th July 2022 wherein it is stated that, pursuant to interim order dated 9th December, 2021, the bail bond in accordance with the said order has been executed and the appellant has been released on bail. The report further mentions that the investigation is completed and the charge-sheet is filed on 30th June, 2022 before the Special Court and the case is numbered as Special Case No. 10 of 2022. The report dated 26th July, 2022 is taken on record.

7. In the light of the contents of the FIR as well as factual aspects reflected in the report dated 26th July, 2022, this appeal will have to be allowed.

7. Hence, I pass the following order:

ORDER

- i.** Criminal Appeal No. 753 of 2021 is allowed;
- ii.** Interim order dated 9th December, 2021 passed by this Court is confirmed;
- iii.** In the event of arrest of the appellant in connection with C.R. No.269 of 2021 registered with Natepute Police Station, Dist. Solapur Rural, the appellant be released on bail on furnishing P. R. Bond in the sum of Rs.10,000/- with one or more sureties in the like amount;
- iv.** Appeal stands disposed of accordingly.

(PRAKASH D. NAIK, J.)