

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

CRIMINAL APPEAL NO. 761 OF 2021

Abdul Rahim Abdul Gani Ghadiyali ...Appellant
Versus
The State Of Maharashtra and Anr. ...Respondents

....

Ms. Tahera Abdul R. Qureshi, Advocate for the Appellant

Mr. A.D. Kamkhedkar, APP for the Respondent – State.

Mr. Samrat Chavan, API, Mumbra Police Station.

CORAM : PRAKASH D. NAIK, J.
DATE : 14th June, 2022.

PER COURT:

1. The appellant was apprehending arrest in C.R. No.I-813/2021 registered at Mumbra Police Station for offences punishable under Sections 295(A) of Indian Penal Code r/w 3(1) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) and under Section 67 of Information of Technology Act.

2. Learned APP, on instructions, submitted that the investigation did not reveal the involvement of the appellant in the crime. He tendered report dated 2nd December, 2021, which mentions that no evidence could be gathered against the appellant for posting controversial message on social media. The report is taken on record and marked as Exhibit-X.

3. Learned APP, on instructions, further submitted that in view of the aforesaid report the Police would file the summary report before concerned Court.

4. In view of the aforesaid circumstances, the question of arresting the appellant does not arise and hence, the appeal stands disposed of.

(PRAKASH D. NAIK, J.)