

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

CRIMINAL APPEAL NO.230 OF 2022

Yuvraj s/o Raisingh Rathod and another
Vs.

The State of Maharashtra through Police Station Officer, Police Station, Manora, Dist.
Washim and another

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

Court's or Judge's orders

Mr. A. P Tathod, Advocate for appellants.
Mrs. M. H. Deshmukh, APP for respondent no.1/State.
Ms. Sneha S. Dhote, appointed Advocate for respondent no.2.

CORAM : AVINASH G. GHAROTE, J.

DATE : 24/06/2022

Heard Mr. Tathod, learned counsel for the appellants and Mrs. Deshmukh, learned APP for respondent no.1/State assisted by Ms. Dhote appointed counsel to represent respondent no. 2.

2. Mr. Tathod, learned counsel for the appellants submits that a false case has been filed against the appellants. The appellants are innocent in the matter and merely because of an old enmity between the father of the complainant and the accused persons, a false complaint has been lodged by the complainant.

3. Mrs. Deshmukh, learned APP for the respondent no.1/State opposes the application and submits that the matter is under investigation. The

nature of allegations would not indicate that the appellants would be entitled to show any indulgence by this Court.

4. A perusal of the FIR dated 22.3.2022 would indicate that the incident is dated 22.3.2022 at about 7.00 a.m. when the complainant had gone inside the bathroom for having a bath and taken out her clothes, when the accused came inside and outraged her modesty which is succinctly described in the FIR and also threatened her saying that, a video was taken by him and the complainant would be exposed.

5. Considering the nature of the allegations which squarely fall within the ambit of Section 3(1)(w) (i)(ii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, I do not see any reason to interfere in the appeal, more so when the investigation is going on.

The appeal is therefore dismissed.

JUDGE

Sarkate