

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 339 OF 2020

Sandeep Nivruti Godase

.. Appellant

Versus

State of Maharashtra and anr

.. Respondents

...

Mr.Vaibhav Gaikwad for the appellant.

Mr.D.D. Rananaware with Mr.Manjeet Lotankar for respondent no.2.

Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 22nd AUGUST, 2023

P.C:-

1 On 23/4/2020, the appellant was admitted to interim protection and the said protection continued till date. With the able assistance of the counsel for respondent no.2 and the learned APP, I have perused the subject FIR which has invoked the offence u/s.3(1)(r) and 3(1)(s) and 3(2)(va) of The Scheduled Castes and the Scheduled Tribes (Prevention of *Atrocities*) Act, 1989, as it refer to casteist abuses being hurled within public view.

2 Considering the FIR and the accusations, the Court has protected the appellant and this protection is in force for more than three years. When the learned APP is asked whether the investigation is complete, he state that it is, but for the recovery

of gold ornaments which is alleged to have been removed at the time of the incident. In any case, that cannot be the purpose for which the custody of the appellant is required. It is also informed that the appellant had reported to the police station when called for. It is open for the Investigating Officer to call the appellant for the purpose of further investigation as it is informed by the learned APP that though the investigation is almost complete, the charge-sheet is not filed. Needless to state that the appellant shall render all his co-operation with the Investigating Officer in completing the investigation and filing of the charge-sheet, though in the wake of the protection granted, he cannot be arrested.

In the wake of the aforesaid circumstances, the order dated 23/4/2020 is made absolute, but upon being summoned by the Investigating Officer, for the purpose of investigation, the appellant shall report to him.

(SMT. BHARATI DANGRE, J.)