



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1529 OF 2019**

Surendrasingh Balwantsingh Chhabra ..Appellant
VS.
The State of Maharashtra and anr. ..Respondents

Mr. Santyajeet P. Dighe for the Appellant.
Ms. P. N. Dabholkar, APP for the State.

**CORAM : M. S. KARNIK, J.
DATE : AUGUST 18, 2023**

P.C. :

1. This court on 27/11/2019, while granting the interim relief to the appellant, passed the following order:

“Leave to amend. Amendment to be carried out forthwith. At the request of learned APP, stand over to 04/12/2019 so as to enable him to take instructions.

2 In the meantime, having regard to contents in F.I.R., particularly which are formed to be basis for invoking provisions of Atrocities Act, this Court is of the *prima facie* opinion that offence is not made out.

3 That being so, in the event of arrest in crime no. 437/19 registered with Upnagar Police Station, appellant/applicant be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount. Applicant shall attend Investigating Officer on Friday and Saturday between 10.00 am to 12.00 noon and thereafter as and when directed.”

2. Respondent No.2 is duly served. There is no representation on behalf of respondent No.2. The offence is

of the year 2019, registered vide C.R. No.437 of 2019 at the instance of respondent No.2 with Upnagar Police Station, District Nashik, for the offences punishable under Sections 323, 504, 506, 279 read with Sections 3(1)(x), 3(1)(i), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. I have gone through the First Information Report (FIR). From the FIR, it appears that there were some prior financial dealings between the appellant and respondent No.2. The witnesses appear to be interested. The possibility of false implication cannot be ruled out. The interim order passed by this Court as far back on 27/11/2019 can be confirmed.

4. The appeal is disposed of in terms of the interim order dated 27/11/2019 passed by this Court except with a modification that the appellant shall attend the Investigating Officer as and when called.

5. The Appeal is allowed in the above terms.

(M. S. KARNIK, J.)