

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1219 OF 2022

Balaso Sakharam Nale & Ors .. Appellants
Versus
The State of Maharashtra and anr. .. Respondents
...

Mr. Rahul Kale for the appellants.
Mr. Swapnil Walve i/b Rahul Shinde, for respondent no.2.
Mr. Y.M. Nakhwa, APP for the State.
Ms. Sandhyarani Deshmukh, P.S.I. Baramati city Police Station.

CORAM: BHARATI DANGRE, J.
DATED : 9th OCTOBER, 2023

P.C:-

1 The appellants are admitted to protection from arrest by order dated 13/12/2022, in the wake of the accusations levelled by the respondent no.2 in the FIR. It is the accusations faced by them that the complainant belong to Scheduled Caste and he had purchased a piece of land vide a registered sale deed but on the date of incident, the appellants arrived at the spot and they abused him with reference to his caste and threatened him and directed him to transfer the land in their names.

2 The respondent no.2 is represented by learned counsel Mr. Swapnil Walve appearing for the Advocate on record Mr. Rahul Shinde.

3 The learned APP on instructions of the Investigating officer, would submit that the investigation in the subject CR is complete and the charge-sheet has been filed. The charge-sheet has compiled statement of witnesses, who have made reference to the abuses hurled at the complainant. In any case, the effect of these statements will have to be appreciated during the trial.

4 In the wake of the filing of the charge-sheet and since the Investigating Officer make a statement that the custodial interrogation is not warranted as the material against appellants is already compiled in the charge-sheet, the order dated 13/12/2022 is made absolute.

Appeal stands disposed off.

(SMT. BHARATI DANGRE, J.)