



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

917 CRIMINAL APPEAL NO. 517 OF 2024

Subhash Bhagvant Renukar

VERSUS

The State of Maharashtra and others

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Advocate for Appellant : Mr. Rahul R. Karpe

APP for Respondent Nos. 1 and 2: Ms. Rashmi P. Gour

Advocate for Respondent No.3 : Mrs. Jayashree Nawale (Ghorpade)

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**CORAM : SHIVKUMAR DIGE, J.**

**DATED : 30<sup>th</sup> JULY, 2024.**

**PER COURT :-**

1. This appeal is preferred against the order dated 22.5.2024, passed by the Additional Sessions Judge, Shrigonda in Criminal (Bail) Application No.320 of 2024 filed in pursuance of FIR No.332 of 2024 registered with Karjat Police Station, for the offences punishable under sections 294, 504, 506 r.w. 34 of I.P.C. and sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is the prosecution's case that the informant's son married with the appellant's daughter. It is alleged that it was love marriage. The appellant opposed to the said marriage. It is alleged that on 27.3.2024, around 7.00 p.m. when the informant and her daughter-in-law had been to the house of the appellant to bring the documents of

daughter-in-law of the informant, at that time, it is alleged that the appellant prevented them to enter in the house. It is alleged that the appellant abused the informant and her daughter-in-law on their caste and did not give the documents of the daughter-in-law of the informant.

3. It is contention of learned counsel for the appellant that the appellant has been falsely implicated this case. The appellant has provided all documents to the daughter-in-law of the informant. Learned counsel further submitted that the appellant has no any reason to prevent his own daughter to enter in his house. Earlier the daughter-in-law of the informant had come to his house and she took search of his house and taken all the documents. Moreover, he never abused the informant on her caste. The appellant has not opposed for the marriage between the informant's son and his daughter. The allegations are levelled against him are false. Considering the allegations against the appellant, his custodial interrogation is not required and requested to allow the appeal.

4. It is contention of learned APP alongwith the learned counsel for the respondent No.3 that the appellant prevented the informant and her daughter-in-law to enter in the house. He has not allowed them to take educational documents of the daughter-in-law of the

informant. He abused the informant and her daughter-in-law on caste. Considering the allegations against the appellant, his custodial interrogation is required and requested to reject the appeal.

5. I have heard all the learned counsel. Perused the impugned order passed by the trial Court, F.I.R. and police papers produced on record. The appellant's daughter is married with the son of the informant. It is inter-caste marriage. It is alleged that the appellant has opposed for the said marriage. The informant's daughter-in-law requires her educational documents for her further study. It is alleged that when she alongwith informant had been to the house of the appellant, the appellant abused the informant on her caste. It appears from the record that she alongwith police persons had been to the house of the appellant. The incident is happened in the house of the appellant and it was not at public place. Considering the allegations against the appellant, his custodial interrogation is not required and I pass the following order :-

**ORDER**

- (i) The appeal is allowed.
- (ii) The order dated 22.05.2024, passed by the Additional Sessions Judge, Shrigonda in Criminal (Bail) Application No.320 of 2024 is quashed and set aside.

(iii) The interim anticipatory bail granted to the appellant vide order dated 12.06.2024 stands confirmed on the same terms and conditions with following modification.

a) The appellant shall not prevent the daughter-in-law of the informant, if she enters in his his to take search of her documents.

6. Since Mrs. Jayashree Nawale (Ghorpade), is appointed to represent the respondent No.3, her legal fees and expenses is quantified at Rs.10,000/- to be paid by the High Court Legal Services Sub Committee, Aurangabad.

**(SHIVKUMAR DIGE, J.)**

rlj/