

**CRIMINAL APPEAL NO. 783 OF 2023**

## VERSUS

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Mr. S.B. Bhapkar, Advocate for the Appellants  
Mr. N.B. Patil, APP for Respondent No.1 – State  
Mr. Shardul .G. Shinde, Advocate for Respondent No.2

**DATE : 15<sup>th</sup> JANUARY, 2024**

1. Appellants apprehend arrest in connection with Crime No. 427 of 2023 registered with Vaijapur Police Station, District Aurangabad for offences punishable under sections 504, 506 of the Indian Penal Code and sections 3(1)(r), 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

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with iron road. One Tanaji *puncturewala* prevented him from doing so. Anticipatory bail application filed by appellants is rejected by learned Additional Sessions Judge, Vaijapur. Hence, the present appeal.

3. Heard learned advocate for appellants, learned APP for respondent No.1 – State and learned advocate for respondent no.2 – informant. Perused the papers of investigation.

4. From the investigation papers *prima facie* it appears that informant has lodged FIR at the instance of his employer Sudhir Ghaiwat, who is maternal cousin of appellant No.1 and there is dispute between appellant No.1 and Sudhir Ghaiwat in respect of monetary transactions of petrol pump, which is jointly owned by appellant No.1 and Sudhir Ghaiwat. Statement of Tanaji *puncturewala* falsify the allegation made in the FIR as he has categorically stated that nothing happened on that day at that time.

5. On perusal of investigation papers, custodial interrogation of appellants is not necessary. Appellants therefore deserve protection.

6. Appellants were granted interim protection vide order dated 06.09.2023, and they have co-operated in the investigation. Nothing is to be recovered from appellants.

7. In the result, the appeal is allowed by confirming interim protection granted to the appellants by order dated 06.09.2023.

8. Till filing of the charge-sheet, appellants shall attend the concerned police station as and when called by the Investigating Officer, and co-operate in the investigation. Appellants shall not tamper prosecution evidence.

**[ NITIN B. SURYAWANSHI ]**  
**JUDGE**

S.P. Rane