



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO. 816 OF 2023

BALAJI GOVIND SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Tukaram M. Venjane, Advocate for Appellant

Mr. S.B. Jadhav, APP for Respondent No.1

Mr. Ashwini A. Lomte, Advocate for Respondent No.2

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 18th JANUARY, 2024

PER COURT :

1. Appellant apprehends arrest in Crime No.134/2023, registered with Anantpal Police Station, Latur, for offence punishable under Sections 326, 324, 323, 504, 506 r/w 34 of the Indian Penal Code and Section 3(2)(v), 3(2)(va), 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. FIR is lodged by Bharat Goroba Shinde alleging that three accused persons including appellant assaulted him. Appellant assaulted with kick blows on face and other accused persons assaulted with stick and iron rod. Accused persons also abused him by taking name of his caste.

3. Heard learned advocate for appellant, learned advocate for respondent No.2 and learned Additional Public Prosecutor for State. Perused the investigation papers.

4. Perusal of injury certificate shows that informant has not suffered any injury on the face. Other two accused persons who are attributed assault with stick and iron rod appear to be involved in present matter. *Prima facie*, appellant's involvement appears to be doubtful.

5. Appellant was granted interim protection and he has co-operated in the investigation. Nothing is to be recovered from appellant. Investigation appears to be on the verge of completion.

6. In the result, appeal is allowed by confirming interim protection granted to appellant vide order dated 08th September, 2023, on same terms and conditions.

(NITIN B. SURYAWANSHI, J.)