



Diksha Rane

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.123/2024
(NOT ON BOARD ; TAKEN ON BOARD)**

ASIF AYYUB TIMMAPURE ..APPELLANT
VS.
THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Advait U. Shukla i/b. Adv. Abdul Q. Auti for the
appellant.

Smt. Sangeeta D. Shinde, APP for the State.

Adv. Advait Tamhankar for the respondent no.2.

CORAM : M. S. KARNIK, J.

DATE : MARCH 6, 2024.

P.C. :

- 1.** Heard learned counsel for the appellant, learned APP for the State and learned counsel for the respondent no.2.
- 2.** Learned counsel for the respondent no.2 submitted that there was some dispute which the respondent no.2 had with the accused over the leftover food which was kept on the boundary wall between the house of the complainant and the accused.
- 3.** The complainant is personally present in the Court. She has produced the copy of the Aadhar card. The

complainant insists that she does not want to proceed with the complaint and has no objection if the appellant is enlarged on bail.

4. The appellant is the original accused no.2. The appellant is arrested for the offence punishable under Sections 354, 354(b), 452, 323, 504, 506 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with 3(1)(w)(i)(ii), 3(1)(r)(s), 3(2)(5a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered on 1/11/2023 vide C.R. No.713/2023 with Sadar Bazaar Police Station, Solapur.

5. It is further submitted that the parties intend to apply for quashing of the proceedings before the appropriate Court. It is submitted that there were misunderstandings and the parties are resolving their dispute. The investigation is complete. The charge-sheet has been filed. In this view of the matter, the custodial interrogation of the appellant is not necessary. The interim protection granted by this Court on 16/2/2024 deserves to be confirmed.

6. The appeal is allowed.

7. In the event of arrest in connection with

C.R.No.713/2023 registered with Sadar Bazar police station, the appellant shall be released on bail on furnishing P.R. bond to the extent of Rs.15,000/- with one or more sureties of the like amount.

8. The appellant shall co-operate with the investigation.

9. The appeal is disposed of.

10. I appreciate the valuable assistance rendered by Advocate Advait Tamhankar, who appeared on behalf of respondent No.2 in this proceeding. His engagement may be regularized by the Maharashtra State Legal Services Authority.

(M. S. KARNIK, J.)