

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

CRIMINAL APPEAL NO.1217 OF 2024

Amol Sahebrao Raut }*Appellant*

: *Versus* :

The State of Maharashtra and Anr. }....*Respondents*

Mr. Chandrakant Yadav, *for the Appellant.*

Ms. Anuja S. Gotad, *App for Respondent / State.*

CORAM : SANDEEP V. MARNE, J.

Dated : 19 November 2024.

P.C. :

1) This is an Appeal filed under the provisions of Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (SC & ST Act) challenging the Order dated 18 October 2024 passed by the learned Additional Sessions Judge, Vaduj, rejecting the Application filed by the Appellant for grant of Anticipatory Bail in connection with C.R. No. 234 of 2024 registered at Dahiwadi Police Station for offences punishable under Sections 420, 465, 467, 468 and 471 r/w 34 of Indian Penal Code, 1860 r/w Section 3(1)(f), 3(2)(V) and 6 of the **SC & ST Act.**

2) It appears that the complainant had initially lodged a private complaint before the Court of Metropolitan Magistrate 60th Court, Kurla in respect of her grievance of illegal sale of her land. However, she withdrew the said complaint and the same came to be disposed as withdrawn by an order dated 5 July 2023 passed by the learned Metropolitan Magistrate. She subsequently filed F.I.R. dated 25 May 2024 alleging illegal sale of her land by fabricating signatures. The Appellant is neither purchaser nor is a signatory to the sale deed. He has not identified the person, who has signed as a vendor. It appears that the signature and photograph of the Appellant appears only at the page evidencing registration of the Deed.

3) It appears that the Appellant was on interim protection granted by the learned Special Judge by order dated 30 May 2024. It also appears that the Appellant was directed to remain present for investigations by the Investigating Officer on 20 September 2024 vide letter dated 16 September 2024. The learned counsel for the Appellant submits that in pursuance of the said requisition dated 16 September 2024, the Appellant has remained present before the Investigating Officer on 20 September 2024 and has co-operated with conduct of investigations. In my view therefore, interim protection granted in favour of the Appellant by the learned Additional Special Judge, Vaduj vide order dated 30 May 2024 deserves to be continued till Respondent No. 2 puts in her appearance.

4) Issue notice to Respondent No.2, returnable on **10 December 2024**. In the meantime, the Investigating Officer

shall record statement of Respondent No. 2 as to whether she would engage private advocate or avail services of Legal Aid Advocate. Statement of Respondent No. 2 shall be produced on the next date of hearing.

5) In the meantime, in the event of arrest of Appellant in connection with CR. No. 234 of 2024 registered at Dahiwadi Police Station, Dist.-Satara, for offences punishable under Sections 420, 465, 467, 468 and 471 r/w 34 of Indian Penal Code, 1860 r/w Section 3(1)(f), 3(2)(V) and 6 of the SC & ST Act, he shall be released on interim bail on furnishing P.R. Bonds in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

6) The Appellant shall remain present before the Investigating Officer on 2 December 2024 and 3 December 2024 between 11 a.m. to 2 p.m. and shall co-operate with conduct of investigations.

7) Appellant shall not contact the Complainant or any other witnesses acquainted with the case nor shall tamper with the evidence directly or indirectly.

[SANDEEP V. MARNE, J.]