

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.936 OF 2023

Ramchandra s/o Ajinath Bhosale	]	..	Appellant
vs.			
State of Maharashtra & Anr.	]	..	Respondents

Mr.Onkar Arun Mane, for the Appellant.
Ms.Mahalaxmi Ganpati, APP for the State.
PSI Akash Bhingardev, Mohol Police Station present.
Mr.Sujeet R. Bugade, Respondent no.2 present.

CORAM : BHARATI DANGRE, J

DATE : 1st April, 2024.

P.C.

1] By order dated 28.08.2023, the Appellant was admitted to protection from arrest, by recording that charge sheet was filed under Section 324 of the IPC and reading of the complaint did not lead to any castiest abuses being hurled by the present Appellant.

The learned APP make a specific statement that the charge sheet is ready to be filed against the present Appellant and she has instructions to make a statement that custodial interrogation of the Appellant is not necessary.

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2] The learned counsel representing the complainant has invited my attention to a complaint made to the Director General of Police, Maharashtra State, about not carrying out investigation in a proper manner and it is informed that the said Application is pending, being made on 19.10.2023.

3] Needless to state that every complainant has right to get justice, but he could not determine the direction of the investigation. When the Investigating Officer do not desire the custody of the Appellant and since prima facie as far as hurling of abuses in the name of the caste are concerned, they are not attributed to the Appellant, the order dated 28.08.2023 is made absolute.

Needless to state that the Appellant shall be bound by clause (c) and (d) of the order and shall render all his co-operation to the Investigating Officer in filing the charge sheet.

[BHARATI DANGRE, J]