

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

CRIMINAL WRIT PETITION NO. 915 OF 2024

Abhishek Tendulkar And Anr. ...Petitioners
Versus
State Of Maharashtra And Anr. ...Respondents

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Mr. Ashish Chavan i/by Mr. Akash Kotecha, Advocate for the
Petitioners.

Mr. V.A. Kulkarni, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 19th MARCH, 2024.

P.C.:

1. Not on board. Taken on board.
2. The Petitioners are arraigned as Accused in First Information Report dated 28th February, 2024 registered with Lanja Police Station, District Ratnagiri vide C.R. No.22 of 2024 for offences under Sections 143, 147, 148, 149, 341, 324, 385 of Indian Penal Code and 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
3. The grievance of the complainant is that Accused were unknown to the complainant. The Accused asked the complainant and then abused the complainant on the basis of his caste. Whereas

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the contention of the Petitioner is that the FIR is counterblast. Complaint lodged by the Petitioner with Lanja Police Station on 24th January, 2024 under Sections 11(1), 11(1)(g), 11(1)(d), 11(1)(f), of the Prevention of Cruelty to Animals Act, 1960, Section 119 of Maharashtra Police Act, 1957 and Sections 66, 192 of Motor Vehicles Act, 1988. It is submitted that the complainant in the present case is one of the Accused in the FIR lodged by the Petitioners. There was no independent persons at the scene of offence at the time when the alleged abuses were heard against the complainant.

4. Issue notice to Respondent No.2, returnable on 12th June, 2024.

5. In the meantime, no coercive action shall be initiated against the Petitioners qua the impugned FIR till the next date of hearing.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)