



Diksha Rane

8. APEAL 134-24.doc

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

**CRIMINAL APPEAL NO.134/2024**

MAYURI MAHESH KUSHTE

..APPELLANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Balwant Salunkhe i/b. Adv. D. N. Gondhali for the  
appellant.

Mr. S. H. Yadav, APP for the State.

**CORAM : M. S. KARNIK, J.**

**DATE : FEBRUARY 12, 2024.**

**P.C. :**

1. Heard learned counsel for the appellant.
2. The First Information Report (FIR) is dated 21/12/2023 for the offence punishable under Sections 323, 504 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 3(1)(r), 3 (1)(s), 3 (2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereafter 'the Atrocities Act' for short) registered vide C.R.No.311/2023 with Kalamboli Police Station, Navi Mumbai.

**3.** The date of the incident is 7/11/2023. The appellant as well as the accused are residing in the same building. The appellant's husband is owner of the building. The building is being developed. *Prima facie*, even from the FIR it reveals that there are some disputes between the appellant's family and the complainant regarding redevelopment of the building.

**4.** Learned counsel for the appellant submits that the possibility of the false implication and the allegations being exaggerated cannot be ruled out.

**5.** There is a delay in registering the FIR. Hence issue notice to the respondent no.2, returnable on 6/3/2024. Learned APP waives service of notice on behalf of the State. The Investigating Officer to inform the respondent no. 2 the next date of hearing and that she has a right to be represented by an advocate or through legal aid.

**6.** The appellant needs to be protected by an interim order.

**7.** In the event of the arrest, the appellant shall be released on bail on his furnishing P.R. Bond of Rs.10,000/- with one or more sureties in the like amount.

- 8.** The appellant to co-operate with the investigation.
- 9.** Stand over to **6/3/2024**.

**(M. S. KARNIK, J.)**