



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

CRIMINAL APPEAL NO. 144 OF 2024

RAMDAS @ TATYA NARAYAN KOLHE ..APPELLANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Viresh Purwant for the Appellant.
Ms. S.D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 13, 2024

P.C. :

1. At the instance of respondent No.2 First Information Report (FIR) No. 765 of 2023 dated 09/12/2023 was registered with Tembhurni Police Station, Solapur for the offences punishable under Sections 376(2)(n), 354, 324, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, 1860 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(1)(r), 3(1)(s), 3(2), 3(2)(va), 3(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. On perusal of the FIR, it appears that there was some relationship respondent No.2 had with the main accused. The main accused is related to the present applicant.

According to respondent No.2, the main accused committed the acts which constitute offence under the aforesaid Sections. The relationship continued for years together. It is alleged that as such a relationship was not liked by the family of the main accused, the present applicant along with other family members visited the residence of respondent No.2 in a four-wheeler car. It is alleged that the present applicant along with the other assaulted respondent No.2 and abused her in the name of her caste.

3. The relationship that the main accused had with respondent No.2 was not to the liking of the family members. The allegations are vague as to when the alleged incident took place. The possibility of the accusations being exaggerated can not be ruled out in the facts and circumstances of the present case. There are no independent witnesses to the alleged incident of abuse.

4. Issue notice to respondent No.2, returnable on **06/03/2024.**

5. Learned APP to take instructions. In the meantime, the appellant needs to be protected by an interim bond.

- 6.** In the event of arrest, the appellant shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.
- 7.** The appellant shall co-operate with the investigation.

(M. S. KARNIK, J.)