



Diksha Rane

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

CRIMINAL APPEAL NO.149/2024

KUMAR ASHOK CHAVAN ..APPELLANT
VS.
THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Kedar J. Patil a/w. Adv. Pratik Tare, Adv. Sakshi Kadam
for the appellant.
Mr. S. A. Karmakar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 16, 2024.

P.C. :

1. Heard learned counsel for the appellant and learned APP for the State.
2. The date of the First Information Report (FIR) is 23/1/2024 registered with Hatkanangle Police Station, Kolhapur, vide C.R.No.50/2024 for the offence punishable under Sections 504, 506, 509 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 3(1)(u), 3 (2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereafter 'the Atrocities Act' for short).

3. The contention of learned counsel for the appellant is that the FIR is outcome of the political rivalry between two political factions of the area. It is further submitted that the incident did not happen in public place and in public view.

4. Issue notice to the respondent no.2, returnable on 7/3/2024. 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 he has a right to be represented by an advocate or through legal aid.

5. The appellant needs to be protected by an interim order. In the event of arrest in connection with C.R. No. 50/2024 registered with Hatkanangle Police Station, Kolhapur, the appellant shall be released on bail on furnishing P.R. bond to the extent of Rs.15,000/- with one or more sureties of the like amount.

6. The appellant shall attend the Investigating Officer of Hatkanangle Police Station, Kolhapur, on 22nd and 23rd February, 2024, between 11.00 a.m. and 12.00 noon.

7. The appellant shall co-operate with the investigation.

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8. Stand over to **7/3/2024**.

(M. S. KARNIK, J.)