



Diksha Rane

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

CRIMINAL APPEAL NO.243 OF 2024

VASUDEV RAMA GAIKAR ..APPELLANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv.Rohan Hogle for the appellant.
Smt. Sangeeta D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 11, 2024

P.C. :

- 1.** Heard learned counsel for the appellant and learned APP for the State.
- 2.** The offence was registered under Sections 352, 427, 504, 506 read with 34 of the Indian Penal Code read with Sections 3(1)(f), 3(1)(g), 3(1)(r), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- 3.** Learned counsel for the appellant submitted that there is a dispute over a land allegedly owned by the complainant which has led to the filing the present crime. Learned counsel further submits that there is an offence already

registered against the family members of the appellant by the complainant. It is further submitted that there is a delay of almost one year in lodging the First Information Report (FIR). The civil proceedings are already filed. It is, therefore, submitted that the possibility of false implication cannot be ruled out.

4. Issue notice to the respondent no.2, returnable on 12/4/2024. 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.

5. In this view of the matter, the applicant needs to be protected by an interim order.

6. In the meantime, in the event of arrest of the appellant in connection with FIR No.690/2023, dated 4/12/2023 registered with Mahatma Phule Chowk Police Station, Thane City, the appellant – Vasudev Rama Gaikar be released on bail on his furnishing P.R. Bond in the sum of Rs.10,000/- with one or more sureties in the like amount.

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

8. Learned APP to take instructions.

9. Stand over to **12/4/2024**.

(M. S. KARNIK, J.)