



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

CRIMINAL APPEAL NO.267/2024

VASUDEO BUDHAJI PATIL ..APPELLANT
VS.
THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Veerdhawal Deshmukh a/w Adv. Akkshay Mishra i/b
Hulyalkar and Associates for the Appellant.

Smt. Megha Bajoria, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 14, 2024.

P.C. :

1. Heard learned counsel for the appellant.
2. The appellant apprehends his arrest in connection with First Information Report (FIR) bearing C.R. No.10 of 2024 dated 08/01/2024 for the offence punishable under Sections 3(1)(r), 3(1)(s), 3(2)(va), 3(1)(w)(i), 3(1)(w)(ii), 3(1)(f) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sections 7(1)(c) and 7(1)(d) of the Protection of Civil Rights Act, 1955 and Sections 324, 509, 324, 323, 341, 336, 504, 506 and 34 of the Indian Penal Code with Taloja Police Station.

3. According to the complainant, the appellant raised an issue with the complainant that the complainant wanted the dumper belonging to the appellant to give side to his JCB machine. The accused were annoyed and they started pelting stones towards the complainant. It is then alleged that the complainant was assaulted and abused in the name of caste.

4. Prior to the lodging of the present FIR, on 11/12/2023, the appellant had made a complaint with the Senior Police Inspector that the complainant was disturbing his possession of the land on which the appellant claims to be in lawful possession. There appears to be some civil dispute between the appellant and the complainant over the land ownership and the possessory rights. It is the submission of the learned counsel for the appellant that the possibility of false implication cannot be ruled out.

5. Learned APP to take instructions.

6. Issue notice to respondent No.2, returnable on 15/04/2024. In the meantime, the appellant needs to be protected by an interim order.

7. In the event of the arrest of the appellant in connection with C.R. No.10 of 2024 registered with Taloja Police Station, the appellant - Vasudeo Budhaji Patil shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.

8. The appellant to report to the investigating officer on 21/03/2024 and 22/03/2024 between 11.00 a.m. and 1.00 p.m. and cooperate with the investigation.

(M. S. KARNIK, J.)