



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

CRIMINAL APPEAL NO. 292 Of 2024

GAJANAN MAHADEV ABNAVE AND ORS. ..APPELLANTS
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Priyal G.Sarda a/w Mr.Shubham Sane and Ms.Seema S. Dighe, for the appellants.
Mr. S. A. Karmakar, APP for the State.
API- Mr.Shriganesh Kavitate, Yerwada police station present.

CORAM : M. S. KARNIK, J.

DATE : MARCH 19, 2024

P.C. :

- 1.** Heard learned counsel for the appellants and learned APP for the State.
- 2.** Learned counsel at the outset submits that he has instructions to withdraw the present appeal on behalf of the appellant no.1-Gajanan Mahadev Abnave.
- 3.** This is an appeal for quashing and setting aside the order dated 02/03/2024 passed by the Special Judge, Pune in Criminal Bail Application No. 946 of 2024 rejecting the application of the appellants for pre-arrest bail in respect of the offence punishable under sections 325, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860 and

under sections 3(1)(g), 3(1)(r), 3(1)(s), 3(1)(y), 3(1)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered on 14/02/2024 vide C.R. No.140 of 2024 with Lonikand police station.

4. So far as the appellants no. 2 to 6 are concerned, they are women. It is alleged that on 10/02/2024 at around 9.30 p.m., the accused- builder-Sachin Jadhav, the land owner-appellant no.1 and some unknown women had assaulted the first informant and his brother over the issue of parking in common area. The allegations are mainly against the accused-builder and land owner. Prima facie, no specific roles are attributed to the appellants no.2 to 6. The appellants no.2 to 6 are willing to join investigation. In the facts and circumstances of the present case, I am inclined to grant interim protection to the appellants no.2 to 6 while issuing notice to the respondent no.2.

5. Issue notice to the respondent no.2, returnable on 17/04/2024.

6. In the meantime, the appellants no.2 to 6 are protected by an interim order.

7. In the event of arrest of the appellants- Lata Gajanan

Abnave, Sayali Gajanan Abnave, Komal Ravindra Abnave, Archana Ravindra Abnave, Bhavana Ravindra Abnave in connection with C.R. No. 140 of 2024 registered with Lonikand Police Station, Pune, shall be released on bail on their furnishing P.R. bond in the sum of Rs.10,000/- each with one or more sureties in the like amount.

8. The appellants no.2 to 6 to report to the investigating officer of the Lonikand police station on 26/03/2024 and 27/03/2024 between 11.00 a.m. and 1.00 p.m.

9. The appellants no. 2 to 6 to co-operate with the investigation.

10. The appeal is allowed to be withdrawn so far as Gajanan Mahadev Abnave is concerned.

11. Stand over to 17/04/2024.

(M. S. KARNIK, J.)