



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

**CRIMINAL APPEAL NO. 350 OF 2024
WITH
INTERIM APPLICATION NO. 1400 OF 2024**

ABHISHEK RAMKUMAR DUBEY ..APPELLANT
VS.
STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Ms.Neha Bhausar a/w Adv. Heet Patel h/f V.K.Dubey Associates, for the appellant.
Ms. Megha S. Bajoria, APP for the State.
Mr. Susmit Phatale, for respondent no.2.
PSI- Mr. Vinod Patil Mahatma Phule Chowk police station present.

CORAM : M. S. KARNIK, J.

DATE : APRIL 10, 2024

P.C. :

1. This is an appeal for quashing and setting aside the impugned judgment and order dated 09/02/2024 passed by the trial Court in connection with the offence registered under the sections 406, 420, 468 read with 34 of the Indian Penal Code, 1860 and under sections 3(1)(r)(s)(zc) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 with Mahatma Phule Chowk police station vide C.R. No. 632 of 2022 dated 10/11/2022.

2. It is submitted that there is gross delay in registering the FIR. The grievance is made by learned APP that the appellant is not residing at the address which is mentioned in the cause-title. The affidavit to be filed by the appellant by the next date as regards the correct address of the appellant.

3. Issue notice to the respondent no.2, returnable on 30/04/2024. Learned APP waives service of notice on behalf of the State.

4. The appellant needs to be protected by the ad-interim order, however subject to the appellant joining the investigation.

5. In the event of arrest in connection with C.R.No.632 of 2022 registered with Mahatma Phule Chowk police station, the appellant-Abhishek Ramkumar Dubey shall be released on bail on his furnishing P.R. bond to the extent of Rs.15,000/-with one or more sureties of the like amount.

6. The appellant to report to the investigating officer of Mahatma Phule Chowk police station on 16/04/2024, 17/04/2024 and 18/04/2024 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.

- 7.** The appellant shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.
- 8.** The appellant to co-operate with the investigation.
- 9.** Stand over to 30/04/2024.

(M. S. KARNIK, J.)