

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO.637 OF 2024****Ganesh Bapurao Shelke****....Appellant****V/s.****The State of Maharashtra and Anr.****....Respondents**

Mr. Shailesh S. Kharat *for the Appellant.***Mr. Ashok R. Metkari,** *APP for the Respondent-State.*

CORAM : SANDEEP V. MARNE, J.**Dated : 25 June 2024.****P.C. :**

1) This appeal is filed with a limited complaint that the learned Special Judge, before whom the application for anticipatory bail is filed on 3 May 2024 is not deciding the application for a considerable period of time. It is submitted that the hearing of the anticipatory bail application has been adjourned from time to time, on 3 May 2024, 6 May 2024, 9 May 2024, 15 May 2024, 5 June 2024 and 15 June 2024. It is pointed out that the application is now posted before the learned Special Judge on 27 June 2024.

2) In my view the appeal under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 cannot be entertained in absence of any specific order passed by the learned Special Judge. Since the anticipatory bail application filed by the Appellant is

pending before the learned Special Judge, it is appropriate that the same is decided in an expeditious manner or at least prayer of the Appellant for grant of interim protection is considered in the event final decision on the application is likely to take some time.

3) Accordingly, the learned Special Judge is requested to pass order on the pending anticipatory bail application filed by the Appellant, on 27 June 2024 either with regard to interim protection or final decision of the said application.

4) With the above observations the appeal is disposed of.

[SANDEEP V. MARNE, J.]