

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 691 OF 2024

Mr. Akshay Vijay Nigade

... Appellant

Versus

The State of Maharashtra and Anr.

... Respondents

Mr. Ranjeet M. Pawar a/w Mr. Bhargav Pataskar for the Appellant.

Ms. Shilpa G. Talhar, APP for State, Respondent No.1.

Mr. P. V. Waghmare, APR, Baramati City Police Station is present.

CORAM : SANDEEP V. MARNE, J.

DATE : 8 JULY 2024.

P.C. :

1) This Appeal is filed under provisions of 14(A) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (**SC & ST Act**), challenging the Order dated 1 July 2024 passed by Additional Sessions Judge, Baramati, Pune rejecting the application for Anticipatory Bail filed by the Appellant.

2) Issue notice to Respondent No.2, returnable on 12 August 2024 at this stage. Ms. Shilpa G. Talhar, learned APP would draw my attention to

letter dated 7 July 2024 addressed by the Sub Divisional Police Officer, Baramati, to Respondent No.2 giving an intimation about today's date of hearing. While acknowledging the said letter, Respondent No.2 has desired engagement of Legal Aid Advocate to represent her. Accordingly, Ms. Priyanka Chavhan is appointed to appear on behalf of Respondent No.2. Appellant to serve copy of the Appeal to Ms. Chavhan.

3) Perusal of the F.I.R. *prima facie*, shows existence of love relationship between the Appellant and the first informant which has ensued for long period of time from 1 July 2022 to 5 May 2024. Considering this position, in my view, Appellant deserves to be granted interim protection during pendency of the Appeal. I accordingly proceed to pass the following Order:

(a) In the event of arrest of the Appellant in C.R. No. 388 of 2024 registered with Baramati Police Station for offences punishable under Sections 376, 354, 354-A, 504 and 506 read with Section 34 of the Indian Penal Code and under Section 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) and Section 6 of the S.C.S.T. Act., he shall be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(c) The Appellant shall appear before the Investigating Officer on 15 and 16 July 2024 between 11.00 to 2.00 p.m. and shall co-operate with the conduct of investigations.

(d) Appellant shall furnish identity and address proof of himself and of his two blood relatives while furnishing sureties.

(e) Appellant shall attend Trial Court regularly unless exempted from personal appearance.

(f) Appellant shall not pressurize the Respondent No.2 or any other witnesses acquainted with the facts of the case nor shall tamper with the evidence either directly or indirectly.

(g) The Appellant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Trial Court as well as to the concerned Police Station in writing.

[SANDEEP V. MARNE, J.]