

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 511 OF 2025

Akil Ibbrahim Sayyad ...Appellant
Versus
The State of Maharashtra And Anr. ...Respondents

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Mr. Priyal Sarda a/w Mr. Onkar Bajaj for Appellant.

Mr. A. S. Shalgaonkar, APP for the Respondent-State.

Ms. Kanchan Pawar, Advocate for Respondent No.2 appointed through Legal-Aid.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 24th NOVEMBER 2025

P.C.

1. The Appellant is apprehending arrest in Crime No.300 of 2025 registered with Barshi City Police Station, Dist. Solapur for the offences punishable under Sections 74, 352, 351(2) (3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s) of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989.

2. It is prosecution's case that on 20th March, 2025 at about 4:30 p.m., the appellant abused the first informant on her caste and made gestures that caused to feel ashamed.

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3. It is contention of learned counsel for Appellant that on earlier day of lodging FIR, in present case the appellant had lodged N.C. against the husband of first informant, to take revenge of it, present FIR is lodged against the appellant. While on interim relief, the appellant has co-operated in investigation. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that appellant abused the first informant on her caste. Investigation is in progress. Considering the allegations against the Appellant, his custodial interrogation is required and requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents placed on record. While on interim relief, the appellant has co-operated in investigation. Investigation is completed and charge-sheet has been filed against the appellant. Considering the allegations against the Appellant, his custodial interrogation is not required and I pass the following order.

ORDER

- (i) The appeal is allowed;
- (ii) In the event of arrest, the Appellant be enlarged on

bail in Crime No.300 of 2025 registered with Barshi City Police Station, Dist. Solapur, on executing P.R.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;

(iii) The Appellant shall attend the concerned police station as and when required.

6. The Appeal is allowed in the aforesaid terms and is accordingly disposed off.

7. It is made clear that the above observations are made only for the purpose of granting anticipatory bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

9. As the learned counsel for the Respondent No.2 appointed through legal-aid, professional Fees of Rs.10,000/- be paid to her.

(SHIVKUMAR DIGE, J.)