

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 553 OF 2025

Ashwini Arvind Shirgave ...Appellant(s)
Versus
The State Of Maharashtra and anr. ...Respondent(s)

Mr. Subir Sarkar, Advocate for the Appellant.
Mr. S. A. Karmarkar, APP for Respondent No.1-State.
Mr. S. S. Redekar, Advocate for Respondent No.2.
PN-Abhijeet Kiran Uranakar, Gandhinagar Police Station, Kolhapur, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th JULY, 2025.

P.C. :

1. The bail application of the appellant is rejected by the Trial Court, hence, the appellant is before this Court by way of this appeal.
2. The appellant apprehends arrest in Crime No.186 of 2025 registered with Gandhi Nagar Police Station, Kolhapur, for offences punishable under Sections 3(5), 115(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3((1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
3. It is prosecution's case that on 25th April 2025 around 11.00, the incident happened in grampanchayat office at Gadmudshingi. It is alleged that the appellant and her husband told the first informant to

recover house and water taxes from the villagers. The first informant told them to give the said order in writing. Annoyed by the reply of the first informant, it is alleged that the appellant and her husband grabbed the collar of first informant and assaulted him with fists and kick blows and abused him on his caste.

4. It is contention of learned counsel for the appellant that the appellant is Sarpanch of the said village. Earlier, the appellant had filed complaint against the first informant and the rival faction alleging tampering of tax receipts and attendance muster book. The appellant has been false implicated in this case due to political rivalry. The appellant is lady. Hence, requested to allow the appeal.

5. It is contention of learned APP along with learned counsel for respondent No.2 that the appellant and her husband abused the first informant on his caste and assaulted him with fists and kick blows. The incident happened in the grampanchayat office. It is witnesses by other witnesses. Considering the allegations against the appellant, her custodial interrogation is required and requested to dismiss the appeal.

6. I have heard all learned counsel, perused the FIR and documents produced on record. The allegations against the appellant are that she and her husband abused the first informant on caste and assaulted him with fists and kick blows. In the FIR, the allegation about the abuse on caste is in chorus. There are no specific allegations against

the appellant about abuse on caste. The appellant is lady, she is Sarpanch of the village. Considering the allegations against the appellant, her custodial interrogation is not required and I pass following order :

ORDER

- (i) In the event of arrest, the appellant be enlarged on bail in Crime No.186 of 2025 registered with Gandhi Nagar Police Station, Kolhapur, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The appellant shall attend the concerned police station as and when required.

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

8. It is made clear that the above observations are made only for the purpose of granting 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.

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

(SHIVKUMAR DIGE, J.)