

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 918 OF 2025

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Akash Raju Kamble ...Appellant
Versus
State Of Maharashtra And Others ...Respondents

Mr. Chaitanya Malgaonkar a/w Amol A. Kanaki Advocate for the Appellant.

Ms. Sneha Sule a/w Rishikesh Suryawanshi Advocate for Respondent No. 3.

Mr. P. P. Deokar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 19th DECEMBER, 2025

P.C.

1. By this appeal, the appellant is apprehending arrest in crime no.230 of 2025 registered with Mahatma Gandhi Chowk Police Station Dist- Sangli for offences punishable under Sections 74 and 3(5) of Bharatiya Nyay Sanhita, 2023 and under Sections 3(2)(va), 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) of The Scheduled Castes And The Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is prosecution's case that on 19th July, 2025 the accused no. 1 called the first informant to settle her dispute with her brother near Miraj ST Stand. When the first informant went the incident spot, at that time accused no. 1 and the appellant took her in their car,

accused no. 1 outraged her modesty by caught holding the left hand of the first informant and abused her on his caste. Thereafter, the first informant opned the door of car and ran away from the said car. It is alleged that at that time the appellant was sitting on front seat of the said car.

3. It is contention of learned counsel for the appellant that the appellant has been falsely implicated in this case. Investigation is completed. Charge-sheet has been filed. While on interim relief, the appellant has co-operated in the investigation. The alleged incident of abused on caste is happened in car and not in public view. hence, requested to allow the appeal.

4. It is contention of learned APP and with learned counsel for respondent no. 3 that the appellant and accused no. 1 taken the first informant in their car and accused no. 1 caught hold the hand of the first infomant and abused her on caste. Considering the allegations against the appellant, his custodial interrogation is required and requested to reject the appeal.

5. I have heard all the learned counsel, perused the FIR and documents produced on record.

6. While on interim relief, the appellant has co-operated in the investigation. Investigation is completed. Charge-sheet has been filed.

The alleged incident of abused on caste is happened in car and not in public view. Considering this fact, custodial interrogation of the appellant is not required and I pass following order :

O R D E R

- I. The appeal is allowed
 - II. In the event of arrest, appellant be enlarged on bail in crime no.230 of 2025 registered with Mahatma Gandhi Chowk Police Station Dist- Sangli on furnishing 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.
 - IV. The appellant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
7. The appeal is disposed of in above terms.
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 authenticated copy of this order.

(SHIVKUMAR DIGE, J.)