

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 474 OF 2024

Ajmat Rajjab Khan And Anr. ... Appellants
Versus
The State of Maharashtra and Anr. ... Respondents

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Mr. Amit S. Rane a/w Atal B. Dubey, for the Appellants.

Mr. P. P. Jadhav, APP, for the Respondent No.1-State.

Mr. Amit A. Katarnaware i/b Mr. Aditya A. Katarnaware, for the Respondent No.2.

Mr. Pradeep Mairale, ACP, Investigating Officer, Sakinaka Police Station, present.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 3rd FEBRUARY, 2025.

P.C.

Heard learned Counsel for the applicants, learned APP, learned Counsel for the respondent No.2 as well as the Investigating Officer ACP Mr. Pradeep Mairale, who is present with the case diary.

2 At the outset, unfortunately, this Court is again required to observe that the case diary produced by the ACP is not in accordance with Section 172 of the Criminal Procedure Code. There have being repeated directions to maintain the case diary in

the prescribed manner. Diary produced today is in the form of loose sheets filed together from where pages can be easily inserted or removed. Be that as it may.

3 At the outset, this Court by an order dated 20th June, 2024, protected liberty of the appellants by an interim order, *inter alia*, directing the appellants to cooperate during investigation of Crime No. 296 of 2024.

4 It is needless to reiterate that there are business transactions between the appellants and the respondent No.2. Some dishonesty while doing the business led to filing of the FIR under various sections of the Indian Penal Code and of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

5 Mr. Katarnaware, learned Counsel for the respondent No.2, argued that conduct of the appellants amounts to economic boycott of the first informant as contemplated in Section 3(1)(zc). He invites my attention to the definition of the “Economic Boycott” as provided in Section 2(1)(bc-iii).

6 Mr. Jadhav, learned APP, seeks time to look into the said aspect and to make an appropriate statement on the next date. Learned APP also submits that the investigating officer would investigate as to whether Clause (p) can also be invoked.

7 List on **3rd March, 2025.**

8 Interim relief granted by this Court will continue to operate till the next date.

[PRITHVIRAJ K. CHAVAN, J.]