

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 829 OF 2024

Omkar Narayan Jadhav ... Appellant

Versus

The State of Maharashtra and Anr. ... Respondents

Mr. Satyavrat Joshi a/w Mr. Priyesh More i/b Mr. Shivani
Kondekar, for the Appellant.

Smt. Ranjana D. Humane, APP, for the Respondent-State.

Mr. Swaraj Jadhav, for the Respondent No.2.

Mr. Sarjerao Pujari, Jejuri Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th JUNE, 2025

PC :-

1. The Special Court has rejected the Bail Application of the appellant.
2. The appellant is apprehending arrest, in connection with investigation of Crime No. 130 of 2024 registered with Jejuri Police Station, Pune Rural, for the offences punishable under Sections 143, 147, 148, 149, 323, 324, 504, 506 of the Indian Penal Code, 1860 ('IPC' for short) and under Sections 3(1)(rs) and 3(2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SCST Act' for short).

3. It is prosecution's case that, on 29th March, 2024 at 8:30 p.m., the appellant quarreled with the first informant and abused him on his caste. It is alleged that on same day at about 9:00 p.m. he along with co-accused assaulted the first informant and his brother with wooden rod. It is the contention of the learned Counsel for the appellant that the first incident in which there are allegations of abused on caste was not happened at public place. In second incident of assault, there are no allegations that the appellant abused the first informant on caste.

4. Learned Counsel for the appellant further submitted that the investigation is completed and charge-sheet has been filed against the appellant. Hence, custodial interrogation is not required and requested to allow the Appeal.

5. It is the contention of the learned APP and learned Counsel for Respondent No.2 that the appellant had abused the first informant on caste at public place. Thereafter, he and co-accused assaulted the first informant. There are six antecedents against the appellant. In other matters when appellant was on bail, he committed this crime. If appellant released on anticipatory bail he may threaten the first informant and prosecution witnesses. Hence, requested to dismiss the Appeal. The learned counsel for respondent No. 2 further submitted that the first informant was

pressurized by the appellant to make a statement before the Sessions Court that he has no objection to allow the bail application. It shows that the appellant had threatened the first informant. Hence, he requested to dismiss the Appeal.

6. I have heard all learned counsel. Perused the FIR and documents produced on record. Charge-sheet is filed against the appellant. It shows that the investigation is completed. The alleged incident of abusing on caste to the first informant was in public place or not is not mentioned in the FIR.

7. Considering these facts, the custodial interrogation of the appellant is not required and I pass following order.

ORDER

(i) The Appeal is allowed.

(ii) The Appellant- Omkar Narayan Jadhav be released on bail in Crime No. 130 of 2024 registered with Jejuri Police Station, Pune Rural, on executing a P.R. Bond in the sum of Rs.30,000/-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 contact/influence or threaten or pressurize the complainant or otherwise tamper with the prosecution evidence/witnesses.
- (v) All pending Applications are disposed of.

[SHIVKUMAR DIGE, J.]