

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1040 OF 2024

Mallaapa Janappa Bansode ... Appellant
Versus
The State of Maharashtra and Ors. ... Respondents

.....
Mr. Ghanasham Jadhav, for the Appellant.

Mr. S. H. Yadav, APP, for Respondent No.1-State.

Mr. Samay S. Pawar, for Respondent Nos. 2 to 4.

Mr. Chandrakant V. Jadhav, API, Jath Police Station, present.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 14th JANUARY, 2025.

P.C.

This is an appeal under Section 14-A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, impugning a cryptic order dated 2nd July, 2024 passed by the Special Judge, Sangli. The order reads thus:

“ Accused persons be released on P.B. and S.B. of of Rs.15,000/- each as fresh charge sheet is filed.”

2 It seems that the learned Judge committed a grave error rather, illegality in not giving an opportunity of being heard to the complainant before passing such a one line cryptic order. Even the role of Sub Divisional Police Officer- Sunil Salunkhe, Jath Sub-Division, Jath, District-Sangli is also doubtful.

3 Learned Counsel for the appellant has invited my attention to an order dated 29th August, 2024, passed by the Division Bench of this Court in Criminal Writ Petition (Stamp) No. 18530 of 2023 and the observations made therein. Before going to the merits, it would be essential to hear the respondents on whose behalf Mr. Samay Pawar appears and seeks time as Mr. Satyavrat Joshi is on his legs before another Court.

4 List the matter on 20th January, 2025.

[PRITHVIRAJ K. CHAVAN, J.]