

1	Mangal Shamrao Kolekar	
2	Karishma Shamrao Kolekar	... Appellants
versus		
	The State of Maharashtra and anr.	 Respondents

Mr. Ankur Pahade, Advocate for Respondent No.2.

DATE : 25th MARCH, 2025.

3. It is prosecution case that on 12th October 2024 at 11.30 p.m, the first informant was heading towards Khandoba Mandir. At that time,

accused No.1 – Pappu Kolekar assaulted her with sharp weapon on her head. When maternal brother and mother of the first informant tried to rescue the first informant, it is alleged that the appellants assaulted her mother with wooden stick and abused her on caste.

3. It is contention of learned counsel for the appellants that the appellants have been falsely implicated in this case. The daughter of appellant No.1 had lodged complaint against the first informant and her family members. After registering the said offence, the first informant lodged present crime against the appellants. The appellants are ladies. Interim protection is operating in favour of the appellants since 17th December 2024. The appellants have co-operated with the investigation. The appellants have not abused the first informant on her caste as the appellants themselves fall under “NT category”. Hence, requested to allow the appeal.

4. It is contention of learned APP along with learned counsel for respondent No.2 that appellants have assaulted the mother of the first informant with wooden sticks and abused her on caste. The incident occurred in public view. Considering the allegations against them, their custodial interrogation is required and requested to dismiss the appeal.

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

6. It appears from record that the daughter of appellant No.1 had

lodged FIR against the first informant and her family members and it is registered under Sections 115, 118(1), 351(2), 351(3), 352 and 3(5) of the BNS. The allegations against the appellants are that they abused the first informant's mother on caste and assaulted her with wooden sticks. There are no specific allegations against the appellants that they abused on caste. The said abuse is in chorus. The appellants are ladies. The interim protection is operating in favour of the appellants since 17th December 2024. The appellants are co-operating with the investigation. Considering these facts, custodial interrogation of the appellants is not required and I pass following order :

O R D E R

1. The order dated 17th December 2024 passed by this Court (Coram : Sandeep V. Marne, J.) is confirmed.

The appeal is allowed in above terms and stands disposed of.

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

(SHIVKUMAR DIGE, J.)