

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPEAL NO. 30 OF 2025**

1. Nikhil Shantaram Gaikar
 2. Shalini Shantaram Gaikar
 3. Vandana Vasant Vedre
 4. Sachin Vasant Vedre
- Appellants

Versus

The State of Maharashtra and Anr. Respondents

Mr. P P Pujari, Advocate for the Appellants.
Mr. P P Deokar, APP for the State.
Mr. S. S. Kharat, Advocate for Respondent No.2.
PSI- P. D. Yerunkar, Shrinagar Police Station present.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 13th MARCH, 2025.**

P.C. :

1. Heard learned counsel for the appellants.
2. Learned counsel for respondent No.2 tendered compilation of documents. The same is taken on record.
3. Learned counsel for the appellants, on instructions seeks leave to withdraw the appeal for appellant No.1.
4. Considering the submission of learned counsel for the appellants the appeal is allowed to be withdrawn for appellant No.1.
5. The appellant Nos. 2 to 4 are apprehending arrest in C.R.No. 604 of

2024 registered with Shreenagar Police Station for the offence punishable under Sections 115(2), 3(5), 316(2), 351(2), 352, 85 of Bharatiya Nyaya Sanhita, 2023 read with Sections 3(1)(r)(s)(w)(ii) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Amendment 2015,

6. It is prosecution's case that there was love marriage between first informant and accused No.1. The first informant is of scheduled caste. After marriage accused No.1 and appellants harassed the first informant and abused her on caste. It is alleged that appellant Nos. 2 to 4 abetted the accused No.1 and instigated to harass her. The appellant No.2 is the mother-in-law of first informant, the appellant No.3 is maternal aunt of accused No.1 and accused No.4 is the maternal brother-in-law of accused No.1.

7. It is contention of learned counsel for appellant Nos. 2 to 4 that appellants have been falsely implicated in this case. The appellants never opposed the marriage of first informant and accused No.1. There is marital dispute between the first informant and accused No.1, on that ground present appellants have been falsely implicated in this case. Learned counsel further submitted that investigation is completed and charge-sheet has been filed against the present appellants, hence their custodial interrogation is not required and requested to allow the appeal.

8. It is contention of learned APP along with learned counsel for respondent No.2 that appellants harassed the first informant and abused her on caste. They abused her constantly. They instigated and abetted the accused No.1 to harass the first informant. Considering the allegations against them, their custodial interrogation is required and requested to dismiss the appeal.

9. I have heard all the learned counsel. Perused charge-sheet. The appellants are family members of accused No.1. The investigation is completed and charge-sheet has been filed against the appellants. The main allegations in the FIR are against accused No.1. Considering these facts custodial interrogation of the present appellants are not required and I pass following order.

ORDER

- (i) In the event of arrest the appellant Nos. 2 to 4 be enlarged on bail in C.R.No. 604 of 2024 registered with Shreenagar Police Station, on executing P.R.Bond of Rs. 20,000/- each on furnishing one or two sureties of the like amount.
- (ii) The appellant Nos. 2 to 4 shall attend the concerned police station as and when required.
- (iv) The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own

merits and in accordance with law.

10. The appeal is allowed in the aforesaid terms and is accordingly disposed of.

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

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
Date:
2025.03.18
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