

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. 231 OF 2025**

Sonya @ Suhas Bhagawan Powar

... Appellant

Versus

State of Maharashtra and Anr.

... Respondents

.....

Mr. Somnath Thengal, Advocate for the Appellant.

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

Mr. Paras D. Yadav, Advocate for Respondent No.2.

Mr. Ankush S. Karande, PSI, Shahupuri Police Station, Kolhapur present.

**CORAM : SHIVKUMAR DIGE, J.**

**DATED : 27<sup>th</sup> MARCH, 2025.**

**P. C. :**

1. The appellant is apprehending arrest in C.R.No. 817 of 2024 registered with Shahupuri Police Station, Kolhapur for the offences punishable under Sections 352 of Bhartiya Nyaya Sanhita, 2023 and under Sections 3(1)(r), 3(1)(s), 3(2)(va), 6 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Amendment Act, 2015 and under Sections 5 and 27 of the Arms Act, 1959.

2. It is prosecution's case that on 19.08.2024 at around 4:30 p.m. the appellant and co-accused abused the first informant on his caste on the ground of shifting of banners.

3. It is contention of learned counsel for the appellant that, the

appellant has been falsely implicated in this case. The appellant also belongs to backward class. The co-accused has been released on regular bail. Considering the allegations against the appellant, his custodial interrogation is not required and requested to allow the appeal.

4. It is contention of learned APP that the appellant has abused the first informant on his caste. There is a prima facie case against the appellant hence his custodial interrogation is required and requested to dismiss the appeal.

5. Learned counsel for respondent No.2 submits that the respondent No.2 has no objection to allow the appeal as the matter is settled, as they are residing in the same vicinity.

6. I have heard all learned counsel. Perused FIR and documents produced on record. It appears from record that the incident happened due to shifting the banners. The co-accused has been released on bail. The respondent No.2 has no objection to allow the bail application as they reside in the same vicinity. Considering these facts, I pass following order:

#### **ORDER**

- i. In the event of arrest the appellant be enlarged on bail in C.R.No. 817 of 2024 registered with Shahupuri Police Station, Kolhapur, on executing PR.Bond of Rs. 20,000/- on furnishing one or two sureties of the

like amount.

- ii. The appellant shall attend the concerned police station as and when required.

7. The appeal is allowed and disposed of.
8. All concerned to act on the authenticated copy of this order.

( SHIVKUMAR DIGE, J.)

SONALI  
SATISH  
KILAJE

Digitally signed  
by SONALI  
SATISH KILAJE  
Date:  
2025.04.02  
14:43:55 +0700