

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.393 OF 2025

Lalit Uttam Pawar Appellant

Versus

State Of Maharashtra And Anr. Respondents

Ms. Aishwarya A. Adhikari, Advocate for the Appellant.

Ms. Shilpa Gajare, A.P.P., for the Respondent – State.

Ms. Vailasini Balsubramanian, Advocate for Respondent No.2.

Mr. Bhoir, P.S.I. Bhoir, Dahanu Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th JULY, 2025.

P.C. :

1. The bail application of the Appellant is rejected by the learned Additional Sessions Judge, Palghar, hence this appeal is preferred by the Appellant before this Court.

2. The Appellant is apprehending arrest in Crime No. 302 of 2024 registered with Dahanu Police Station, District: Palghar, for the offence punishable under Sections 3(1)(r), 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and under Sections 3(5), 115(2), 351(2), 352 of the Bharatiya Nyaya

Sanhita, 2023 and under Sections 7(1)(d) of the Protection of Civil Rights Act, 1955.

3. It is prosecution's case that on 20th December, 2024 around 11:00 a.m. when the first informant was recording the proceedings of Gramsabha in his mobile, at that time, the Appellant and co-accused objected for recording it, and assaulted the first informant with fist and kick blows and abused him on caste.

4. It is contention of learned counsel for the Appellant that the Appellant has been falsely implicated in this case. The allegations of abuse on caste are in chorus. The Accused No.1 has been released on regular bail. Considering allegations against the Appellant, his custodial interrogation is not required, and requested to allow the appeal.

5. It is contention of learned APP along with learned counsel for the Respondent No.2 that the Appellant and co-accused assaulted the first informant when he was recording the proceedings of Gramsabha in his mobile. They assaulted the first informant with fist and kick blows and abused him on caste. The incident happened in public view. Learned APP further submitted that the Appellant and co-accused slapped the first informant in police station. Considering

allegations against the Appellant, his custodial interrogation is required, and requested to dismiss the appeal.

6. I have heard all learned counsel, perused the F.I.R. and documents produced on record.

7. The Accused No.1 was arrested and has been released on regular bail. The allegations in respect of caste on abuse are in chorus. Except the offence of the SC and ST Act, all other offences are bailable. Considering these facts, custodial interrogation of the Appellant is not required, and I pass following order:

ORDER

- i. The Appellant be enlarged on bail in Crime No. 302 of 2024 registered with Dahanu Police Station, District: Palghar, on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
- ii. The Appellant shall attend the concerned police station as and when required.
- iii. The Appellant is directed to deposit his mobile phone with the Investigating Officer.
- iv. The Appellant shall not attempt to influence or

contact the witnesses or any person concerned with the case.

. The appeal is disposed of in the aforesaid terms.

8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

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

(SHIVKUMAR DIGE, J.)