

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 642 OF 2025

Sonya @ Shrikant Bhagwan Kadam ...Appellant
Versus
State Of Maharashtra And Anr ...Respondents

Adv. Priyal G. Sarda a/w Ms. Seema S. Dighe, Mr. Shubham Sane and Mr. Rajesh Ranglani, Advocate for the Appellant.
Ms. Shilpa K. Gajare, A.P.P., for Respondent – State.
Ms. Sheeta Malavankar, Advocate for Respondent No.2, appointed through Legal Aid.
Mr. R. G. Bhang, H.C. Barshi City Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 11th JULY, 2025.

P.C. :

1. The Appellant is apprehending arrest in Crime No. 315 of 2025 registered with Barshi City Police Station, for the offence punishable under Sections 115(2),(3), 351(2), 189(1), (2), 190, 191(2) of the Bhartiya Nyaya Sanhita, 2023 (for short “BNS Act”) and under Sections 3(1)(r)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocity) Act, 1989.

2. It is prosecution’s case that on 27th March, 2025 at about 8 p.m. by hearing the commotion, when the first informant came out of her house. She saw that her son is being beaten by the Appellant on the

ground that, he was going to celebrate Dr. Ambedkar Jayanti in that area. When the first informant tried to intervene, it is alleged that the Appellant and co-accused assaulted the first informant and her family members with fist and blows. The Appellant and co-accused Chivlya abused the first informant on caste and threatened them.

3. It is contention of learned counsel for the Appellant that the Appellant has been falsely implicated in this case. The Appellant's father has been brutally beaten up by the first informant and her family members. He has grievously injured in the said assault, and his teeth has been broken. He was admitted in the hospital, by taking advantage of situation, in an attempt to downplay the seriousness of the said crime, the present F.I.R. is lodged against the Appellant and his family members. Hence, requested to allow the appeal.

4. 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, her son and family members on the ground that they were preparing for celebration of Dr. Ambedkar Jayanti. There are specific allegations against the Appellant. Considering allegation against the Appellant, his custodial interrogation is required and requested to dismiss the appeal.

5. I have heard all learned counsel. Perused the F.I.R. and documents produced on record.

6. It appears from the record that, the complaint is filed against the first informant and his family members by the Appellant. The medical certificate of father of the Appellant shows that he has been grievously injured in the said assault, and his teeth has been broken, and has suffered other injuries also. In the cross complaint filed by the Appellant against son of the first informant, it is alleged that, the first informant's son Sachin was asking amount from father of the Appellant for drinking liquor, when he refused to give the amount, Sachin assaulted him with stone on his face and caused multiple injuries. Thereafter, father of the Appellant was admitted in the hospital. The allegations of abuse on caste in F.I.R. are in chorus. Considering these facts, custodial interrogation of the Appellant is not required, and I pass following order :

ORDER

- i. The Appeal is allowed.
- ii. In the event of arrest, the Appellant be enlarged on bail in Crime No. 315 of 2025 registered with Barshi City Police Station, on executing P.R. Bond in

the sum of Rs.50,000/- with one or two sureties in the like amount.

iii. The Appellant shall attend the concerned police station as and when required.

iv. The Appellant shall not attempt to influence or contact the witnesses or any person concerned with the case.

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

7. It is made clear that the above observations are made ly 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.

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

9. Ms. Sheetal Malvankar is appointed through the legal aid. The Legal Aid shall pay fees as per norms.

(SHIVKUMAR DIGE, J.)