

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1290 OF 2025

Anil Mahadev Chavan

... Appellant

versus

State of Maharashtra & Anr.

.... Respondents

.....

Mr. Satish Borulkar a/w. Mr. Abhishek Patil and Mr. Shakti Kumar and Sai Gavate, Advocates for the Appellant.

Mr. Chandrakant D. Mali, APP for the State.

PSI -Smt. Shila Jaysing Khot, Bhore Police Station present.

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CORAM : R. M. JOSHI, J.

DATE : 24th DECEMBER, 2025.**P.C. :**

1. Heard learned counsel for the appellant. He seeks ad-interim relief.
2. It is his submission that from the First Information Report (FIR) it cannot be said that the offence under Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short, "SC & ST Act") has been made out. It is his submission that in such circumstances, taking aid of the Judgment of the Hon'ble Supreme Court in the case of ***Hitesh Verma Vs. State of Uttarakhand and Anr.***¹ it is contended that the embargo created by Section 18 has no application to this case. It is his further submission that as per the first informant, the alleged incident attracting

¹ (2010) 10 SCC 710

the provisions of the Atrocities Act is said to have occurred in the police station and therefore this is not within the public view. To support his submission he placed reliance on *Karuppudaya Vs. State Rep. By the Deputy Superintendent of Police, Lalgudi Trichy & Ors.*². It is also argued that the chit recovered from the deceased is doubtful as the same has surfaced after 2-3 days of the death of the deceased. It is his submission that the police personnel and hence his liberty deserves to be protected.

3. At this stage, this Court does not wish to go into the merits of the case however to ascertain case sought to be made prima facie observations are required to be made. The FIR indicates that the deceased was called by the appellant in the concerned police station. There is specific allegations against the appellant of he causing assault on the deceased prior to he committing suicide. The suicide note left behind by the deceased includes the fact of the said assault on him by appellant. In such circumstances, this Court finds no reason or justification to grant any ex-parte relief. Issue notice to respondents.

4. Learned APP waives service on behalf of the State-Respondent No.1.

5. Notice to respondent No.2 returnable on **16th January, 2026**.

(R. M. JOSHI, J.)

² 2025 Supreme (SC) 251