IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLCATION NO. 1470 OF 2024

Balaji Eknath Chaapte …Applicant

VERSUS

1. The State of Maharashtra
2. Dhanraj Laxman Waghmare …Respondents

Mr. Y. G. Birajdar a/w N. S. Shinde a/w H. M. More, Advocate for the Applicant
Mr. S. B. Narwade, APP for Respondent-State
Mr. Pranav Dhakhe, Appointed-Advocate for Respondent No. 2

CORAM : R. M. JOSHI, J.
DATE : 14th OCTOBER, 2026

PER COURT :-

1. This Application under Section 482 of the Code of Criminal Procedure, 1973, the present Applicants seek quashment of FIR dated 03.02.2024 bearing First Information Report No. 11 of 2024 registered with Gategaon Police Station, District Latur, for the offences punishable under Section 323, 504, 427 read with Section 34 the Indian Penal Code, 1860 (for short "IPC") and under Sections 3(1)(r), 3(1)(s), 3(2) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short "SC ST Act") so also the charge-sheet No. 02 of 2024 dated 02.04.2024 and order taking cognizance and issuing

process dated 03.04.2025 in Special Case No. 46 of 2024.

2. It is the case of the prosecution that on 27.01.2024, between 07.00 and 08.00 AM, the Informant, journalist Dhanraj Laxman Waghmare, received a phone call from Nana Suryawanshi stating that girls at the Z.P. School in Katgaon were being made to clean latrines and bathrooms. Accompanied by his cameraman Vinay Kamble, the Informant arrived at the school around 10.30 AM to verify the report, where Headmaster Shri. Chaapte called upon individuals namely, Lalasaheb Borade, Bablu Shivaji Borade, and Daulat Vilas Patil. These individuals abused the Informant and his colleague with caste-based slurs and asking if they came to defame the school and village while Headmaster Chaapte asked them to have the Informant and his assistant forced out of the school. After relocating to Katgaon Chowk near Amit Medical, Lalasaheb Borade, Bablu Shivaji Borade, and Daulat Patil confronted them around 10.45 AM, smashed Vinay Kamble's mobile phone, and beat them inside a medical store, causing the Informant to sustain a blunt eye injury and lose consciousness. The Informant regained consciousness later that afternoon between 4.00 PM and 5.00 PM at the Government Hospital in Latur, having been brought by ambulance. It is the case of the prosecution that Headmaster Chaapte along with Lalasaheb Borade, Bablu Borade, and Daulat Patil subjected them to casteist abuse and physical assault for attempting to cover the

news story, therefore, 0n 03.02.2024 the present First Information Report came to be lodged. After investigation, on 02.04.2024, charge-sheet came to be filed. Thereafter, on 03.04.2025 order taking cognizance and issuing process came to be passed by the Learned Special judge, Latur.

3. The Learned Counsel for the Applicant submits that the proceedings against the Applicant are initiated maliciously and with an ulterior motive to harass the Applicant. The allegations made in FIR, *prima facie* do not constitute any offence, since the allegations made therein are vague and omnibus so also there is no specific overt act attributable to the present Applicant. The allegations made in FIR with regard to casteist remarks are against the individuals called by the Applicant and are not made against the Applicant. According to him, even there is no material on record to show any common intention between the accused persons in commission of the alleged crime. Therefore, he submits that the FIR and subsequent proceedings deserve to be quashed.

4. The learned APP and learned Counsel for Informant/Respondent No.2. opposed grant of any relief to the Applicant. They submit that the offence alleged against the Applicants is made out from the bare perusal of the investigation papers, so also the offence is

committed in public view visible to public at large. The Applicant called upon the co-accused who made casteist remarks towards the Informant and his assistant and threatened him. Therefore, they submit that the Applicant is equally responsible and is in fact the cause of commission the crime in question.

5. Perusal of the investigation papers indicate that there is no material on record to show that the casteist remarks were made by the present Applicant. The bare reading of the FIR shows that the present Applicant called upon the co-accused who allegedly hurled the casteist remarks and threatened the Informant and his assistant. The only allegation against Applicants is that afterwards he asked the co-accused to remove the Informant and his assistant out of the school premises. Except this, there is no other role attributed to the Applicant which can show his involvement in the present crime in question. Therefore, the allegations made against the present Applicant are not sufficient in order to attract the offences alleged under SC ST Act or under IPC. In any case, the offences alleged under SC ST Act, all other offences are non-cognizable in nature and that there is no evidence to show that Applicant has committed the same.

6. It is settled position of law that in case the entire material on record is accepted to be correct, no offence is made out, the proceedings

can be quashed as held in a judgment by the Hon'ble Supreme Court in case of ***State of Haryana and Ors. vs. Bhajan Lal and Ors.*** (AIR 1192 SC 604). Therefore, the present case, squarely falls within the guidelines laid down by the Hon'ble Supreme Court. Thus, this is a fit case wherein this court is expected to exercise extraordinary powers to quash FIR and subsequent proceedings. Therefore, the present FIR, charge-sheet and consequent proceedings deserve to be quashed, since its continuation would result in abuse of process of law.

7. In view of the above, the Application stands allowed in terms of prayer clauses 'A', 'A-1' and 'A-2'.

8. Fees of the appointed Counsel to be quantified at Rs.10,000/-.

(R. M. JOSHI, J.)

B. S. Joshi