DINESH SADANAND SHERLA
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 735 OF 2025

Harshad @ Harshal Balasaheb Khaladkar ...Appellant
V/s.
The State of Maharashtra & Anr. ...Respondents.

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Mr. Aakash R. Pandey for the Appellant.
Mrs. Rutuja Ambekar, APP for the Respondent/State.
Mr. Amit Icham for Respondent No.2.

.....

CORAM : N.R. BORKAR, J.
DATE : 17.08.2026.

P.C. :

1. This appeal filed under Section 14-A of the of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act (for short “SC & ST Act”) takes exception to the order dated 13th May 2025 passed by the learned Additional Sessions Judge, Baramati below Exhibit-1 in Criminal Bail Application No. 371 of 2025.

2. By the order impugned, the learned Additional Sessions Judge has rejected the application for anticipatory bail filed by the present appellant, who is apprehending his arrest in C.R. No. 362 of 2025 registered at Yavat Police Station for the offences punishable under Sections 74, 75, 115(2), 352, 351(2), 351(3), 3(5), 110, 332 (a), 333 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 3(1)(r)(s), 3(1)(w)(i), 3(2)(va) & 6 of the SC & ST Act.

3. It is the case of the prosecution that on the date of incident, which took place on 18.04.2025 at about 12.30 am, the present appellant and other co-accused came to the house of the victim, who belongs to the scheduled caste. It is alleged that they told the victim to take back the first information report lodged by her against Nikhil Damodare and Akshay Patole. It is alleged that as she refused to do so they tried to strangulate the victim. It is further alleged that the victim and her daughter were threatened and abused on their caste.

4. I have heard the learned counsel for the appellant, learned APP for the State and the learned counsel for respondent No.2.

5. Learned counsel for the appellant submits that with ulterior motive false FIR came to be lodged against the appellant. It is submitted that another FIR in Crime No.355 of 2025 lodged by the victim shows that at the time of alleged incident in the present crime, she was at Yavat Police Station. It is submitted that the prosecution has already filed the charge-sheet and that there is no need of custodial interrogation of the appellant.

6. On the other hand, learned APP for the respondent/State and learned counsel for respondent No.2 submits that the appellant is involved in serious crime. It is submitted that in view of the bar contained in Section 18 of the SC and ST Act, the present appeal may not be entertained.

7. I have perused the FIR in Crime No.355 of 2025. *Prima facie,* there appears to be substance in the submissions of learned counsel for the appellant. Considering the said fact and as the prosecution has already filed the charge-sheet, I am inclined to release the appellant on anticipatory bail on certain conditions. In the result, the following order is passed:

O R D E R

(i) The Appeal is allowed.

(ii) The impugned order dated 13th May 2025 is hereby set aside.

(iii) In the event of arrest of the appellant in C.R. No. 362 of 2025 registered at Yavat Police Station for the offences punishable under Sections 74, 75, 115(2), 352, 351(2), 351(3), 3(5), 110, 332 (a), 333 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 3(1)(r)(s), 3(1)(w)(i), 3(2)(va) & 6 of the SC & ST Act, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iv) The appellant shall not enter into the jurisdiction of Yavat Police Station for a period of one year.

(vi) Time of four weeks is granted to the appellant to shift outside the jurisdiction of Yavat Police Station.

8. The Appeal is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]