

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 188 OF 2026

Suraj Tukaram Karale

...Appellant

Versus

State of Maharashtra & Anr.

...Respondents

Mr. Chaitanya Mulawkar for the Appellant.

Mr. Hitendra J. Dedhia, APP for State.

Mr. Sagar Patil, API, Sahakar Nagar, Police Station.

CORAM : R.M. JOSHI, J.

DATE : 27th FEBRUARY, 2026

P.C. :

1. Learned Counsel for the Appellant submits that there is delay of two days in lodging of the report. He also drew attention of this Court to the statement in the First Information Report indicating that police came to the spot and took the Appellant along with them.

2. It is his submission that, at the police station, since no offense was found to have been committed by the Appellant, he was permitted to go.

3. It is his further submission that the alleged incident of abusing the informant over his caste has not occurred in the presence of any independent witness and as such, the offense is not committed in public.

4. Learned APP opposes the grant of any interim relief to the Appellant. He drew attention of the Court to the investigation papers. At this stage, there is no statement of any independent witness vouching for the occurrence of the incident.

5. In such circumstances, this Court finds substance in the contention of the learned Counsel for the Appellant that this would be a case wherein the offense under the Atrocities Act may not be made out.

6. Hence, there shall be ad-interim relief in terms of prayer Clause (C) shall continue to operate till next date of hearing.

7. Issue notice to the Respondents to waive service on behalf of State. Notice of Respondent No.2 is made returnable on 17th March 2026.

8. Learned APP is directed to instruct concerned police station to intimate Respondent No. 2 about pendency of this service.

(R.M. JOSHI, J.)