



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.346/2025

(Sanjay Gulabrao Kalore and another Vs. State of Maharashtra, through Police Station Officer, Police Station Khamgaon Gramin, Taluka Khamgaon, District Buldhana and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.S. Londhe, Advocate for the Appellants.
Mr. Ujjawal R. Phasate, A.P.P for the Respondent No.1/State.
Ms. Varsha A. Warade, Advocate for the Respondent No.2/Victim.

CORAM: NEERAJ P. DHOTE, J.

DATED: 16.2.2026.

Heard the learned Advocate for the Appellants, the learned A.P.P for the State and the learned Advocate for the Respondent No.2/Victim. With their assistance perused the papers.

2. This is an Appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short "SCST Act") for anticipatory bail as the learned Special Judge, Khamgaon rejected the Bail Application Exh.17 in Special Case No.82/2023 by order dated 05.09.2024. The Appellants are the accused Nos.1 and 5 in Crime No.192/2023 registered with Khamgaon Gramin Police Station, District Buldhana for the offence punishable under Sections 143, 146, 147, 148, 452, 324, 294, 504 and 506 of the Indian Penal Code (for short "IPC") and for the offence punishable under Sections 3(2)(r) and 3(2)(va) of the SCST Act. The said crime is registered on the report lodged by the Respondent No.2. The case of prosecution is that, on 27.05.2023 in the morning around 09.45 a.m. the Appellants and the co-accused came to his house and assaulted him. The co-accused Vaishali and Roshni who are the

daughters of accused No.1 Sanjay had preferred Criminal Appeal No.708/2023 as their application for anticipatory bail was rejected by the learned Special Court. This Court in the said Appeal by considering the F.I.R. observed that there are sweeping and omnibus allegations in the F.I.R. against the accused persons and there is no specific allegation to show that, the Informant was abused on his caste. Perused the F.I.R. It shows that, similar allegations are made against all the accused persons. The Appellants stands on the same footing as that of the co-accused Vaishali and Roshni, who are protected by this Court. Hence on the ground of parity, the Appellants are entitled for protection as there is nothing to show that, they played more grievous role or their act attract the offence punishable under the provisions of SCST Act. Hence, the following order:-

ORDER

- i) The impugned order dated 05.09.2024 below Exh.17 in Special Case No.82/2023 passed by the Special Court, Khamgaon is quashed and set aside.
- ii) In the event of arrest of the Appellants in Crime No.192/2023 registered with Khamgaon Gramin Police Station, District Buldhana for the offence punishable under Sections 143, 146, 147, 148, 452, 324, 294, 504 and 506 of the Indian Penal Code (for short "IPC") and for the offence punishable under Sections 3(2)(r) and 3(2)(va) of the SCST Act, they be released on executing P.R. bond of Rs.15,000/- each.
- iii) The Appellants shall attend the concerned Police Station as and when called by the Investigating Officer.

- iv) The Appellants shall not tamper with the prosecutions evidence in any manner.
- v) The fees of the learned Advocate for the Respondent No.2 is quantified at Rs.5,000/- to be paid by the High Court Legal Services Authority.
- vi) The Appeal is disposed of in the above terms.

(NEERAJ P DHOTE, J.)