



ITEM NO.12

COURT NO.4

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4415/2020

(Arising out of impugned final judgment and order dated 07-08-2020 in LD-VC CRLA No. 53/2020 passed by the High Court of Judicature at Bombay at Nagpur)

DYNANESHWAR & ANR.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 111790/2020 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 111791/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 92571/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 92574/2020 - EXEMPTION FROM FILING O.T.)

Date : 20-07-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Kailas Bajirao Autade, AOR  
Mr. Amit Bhate, Adv.  
Mr. Sunil Kumar Sethi, Adv.  
Ms. Subasini Sethy, Adv.  
Mr. Dnyaneshwar N Telange, Adv.

For Respondent(s) Mr. Aaditya Aniruddha Pande, AOR  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.

Mr. Pratik R. Bombarde, AOR  
Mr. Dharama Datta Verma, Adv.  
Mr. Ritesh P, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. We have heard learned counsel for the parties.
2. Shri Aaditya Aniruddha Pande, learned counsel for the State

and Shri Pratik R. Bombarde, learned counsel for the complainant, oppose the petition on the ground that the case involves Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Taking into consideration the facts and circumstances of the case, we find that the petitioners are entitled to anticipatory bail. This Court, on 07.10.2020, has already granted interim protection to the petitioners, i.e. almost a period of two years and nine months before.

4. It is not the case of the State that the petitioners have not cooperated with the investigation thereafter.

5. In that view of the matter, we are inclined to allow this petition.

6. In the event of arrest, the petitioners be released on bail, subject to their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with one or more sureties in the like amount.

7. However, the petitioners are directed to cooperate with the investigation and attend the Investigating Officer as and when directed to do so.

8. The special leave petition is, accordingly, disposed of.

9. Needless to state that the observations made by the High Court would not be taken into consideration by the learned Trial Judge at the stage of the trial.

10. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)  
COURT MASTER (NSH)