

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

934 INTERIM APPLICATION NO. 1508 OF 2026
IN
CRIMINAL APPEAL (ST) NO. 9480 OF 2026

Goraksh Ramhari Ichke ...Applicant
Versus
The State Of Maharashtra and Anr. ...Respondents

Mr. Rohan Hogle, for the Appellant.
Mr. A.S. Gawai, APP for the Respondent-State.

CORAM: R. M. JOSHI, J.
DATED: 08th MAY, 2026.

PC:-

1. Issue notice to Respondents. Mr. Gawai, learned APP waives notice on behalf of Respondent – State.

2. Learned counsel for the Appellant submits that the Special Court without going into the merits of the case has rejected the application by relying upon the judgment of Andhra Pradesh High Court in case of *Smt. Vidadalal Rajani w/o Kumara Swami v. State of Andhra Pradesh*¹. It is his submission that in view of the judgment of this Court, it is incumbent on the part of the Special Court to record findings with regard to as to whether any *prima facie* offence is made out under the Atrocities Act or not. On merits, it is his submission that in respect of the same incident, NC

¹ Criminal Petition No.1461 of 2025.

was lodged wherein there was no allegation with regard to presence of the Informant at the spot over any incident over the cast is indicated therein.

3. Having regard to these facts liberty of the Appellant deserves to be protected till the Respondent No.2 – Informant is heard in the matter.

4. Hence, there shall be ad-interim relief in terms of prayers clause (c) till next date of hearing.

5. Stand over to **8th June, 2026**.

(R. M. JOSHI, J.)