

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

935 CRIMINAL APPEAL (ST) NO. 9816 OF 2026

Rohit @ Pakharya Suresh Dhotre ...Appellant
Versus
The State Of Maharashtra and Anr. ...Respondents

Mr. Rupesh Atul Zade, for the Appellant.
Mr. Swapnil Walve, APP for the Respondent-State.
Mr. P.V. Maner, Walchandnagar Police Station, Pune Rural, present.

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

PC:-

1. Learned counsel for the Appellant submits that herein this case there is no specific allegation against the present Appellant of causing assault on the body of the injured. It is his submission that the charge-sheet has been filed so also there is recovery of alleged stick used in the crime. Thus, it is his submission that since there is no allegation against the Appellant about he abusing the Informant over her caste, the question of custody does not arise.

2. Learned APP opposes the grant of interim relief by pointing out alleged acts of accused persons as reflected from the FIR.

3. A perusal of the record indicates that the charge-sheet has been filed. Co-accused after their arrest have been enlarged on bail. There is *prime facie* material to show that the bamboo stick allegedly used in the crime by the present Appellant has already been seized during the course of investigation. Thus, this Court finds substance in the contention of learned counsel for the Appellant that there may not be requirement of custodial interrogation of the Appellant. The Appellant is said to have no criminal history behind him.

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

5. Stand over to **22nd June, 2026.**

(R. M. JOSHI, J.)