

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL REVISION NO.106/2015

**(The State of Maharashtra, through PSO P.S. Pombhurna ..vs.. Sandipsingh
Samandarsingh Tank)**

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

Court's or Judge's orders.

Mr. P. V. Bhoyar, A.P.P. for applicant.

CORAM : V. M. DESHPANDE, J.
DATE : SEPTEMBER 29, 2015.

The State is questioning an order passed by Additional Sessions Judge, Chandrapur dated 04.07.2015, by which when the application for extension of the Magisterial Custody Remand was moved by the Investigating Officer, the learned Additional Sessions Judge found, after perusal of the FIR, that no offence under Sections 7 and 8 of the POCSO Act is made out. Therefore, the investigating officer was directed to produce accused/non applicant before the J.M.F.C.

With the assistance of the learned A.P.P. I have gone through the FIR. After having gone through the FIR, it is crystal clear that none of the ingredients of Section 7 of the POCSO Act are made out. The learned Additional Sessions Judge was right in observing that the investigating officer is required to produce the non applicant before the learned J.M.F.C.

In view of above, no case is made out by the applicant for interference in the impugned order. Criminal Revision No.106/2015 is, therefore, dismissed.

JUDGE

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