

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

CRI. APPLICATION (BA) NO. 262 OF 2017

(PAWAN RAMESH FARKUNDE...VS.. STATE OF MAH. THR. P.S.O. ANJANGAON, AMRAVATI)

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

Court's or Judge's orders

Shri M.N.Ali, Adv. h/f. Shri B.H. Tekam, Advocate for applicant.
Shri T.A.Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 14, 2017.

Heard.

The applicant is arrested on 6th September, 2016 in crime registered against him for the offences punishable under Sections 376(2)(j), 324 and 506 of the Indian Penal Code, Section 3(1)(r),(s) & (w) of the Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012. The crime is registered on the complaint of the victim aged about 17 years and 9 months.

The learned advocate for the applicant has relied on the Medico Legal Injury Report of the victim which shows that the doctor has not given definite opinion that the victim is subjected to sexual intercourse.

The learned Additional Public Prosecutor has submitted that the report of Medical Officer who has examined the accused *prima-facie* shows involvement of the applicant in the crime.

There is no apparent reason to disbelieve the victim's version which is supported by the report given by the Medical Officer after examining the applicant.

The charge-sheet is filed in October, 2016.

Considering the facts of the case, I am not inclined to grant the prayer of the applicant made in this application, however, the Sessions Court is directed to conclude and dispose the trial till 30th November, 2017.

With the above directions, the application is **dismissed.**

If the trial is not concluded till 30th November, 2017 the applicant will be at liberty to reiterate his request.

JUDGE