

3 Even before going into the merits of the case, learned
counsel for the applicant has brought to the notice of this Court the

affidavit filed by the complainant in Criminal Application No. 292 of 2018 seeking quashing of F.I.R. by consent. In fact, the allegations are under the provisions of Protection of Children from Sexual Offences Act. It is not compoundable offence. The statute contemplates that whenever a report is filed under the provisions of Protection of Children from Sexual Offences Act, the Court is to presume that the accused is guilty. Despite that if the complainant volunteers to withdraw the complaint, she ought to have been apprised of Section 195-A of Indian Penal Code, which contemplates as follows :

195A : [Threatening any person to give false evidence].-- Whoever threatens another with any injury to his person, reputation or property or to the person or reputation of any one in whom that person is interested, with intent to cause that person to give false evidence shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both;

and if innocent person is convicted and sentenced in consequence of such false evidence, with death or imprisonment for more than seven years, the person who threatens shall be punished with the same punishment and sentence in the same manner and to the same extent such innocent person is punished and sentenced.]

A copy of the affidavit filed by the complainant dated 6th March, 2018 is taken on record. In view of this, the interim relief is confirmed.

4 In the event of arrest, the applicant be enlarged on bail on furnishing P.R. bonds in the sum of Rs.50,000/- with one or more solvent sureties in the like amount.

(Smt. Sadhana S. Jadhav, J)