

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.120 OF 2018

Mr.Vikrant Karnik : Petitioner.
Versus
The State of Maharashtra and ors. : Respondents.

**WITH
CRIMINAL APPLICATION NO.67 OF 2018
IN
WRIT PETITION NO.120 OF 2018**

Smt. Purnima Vitthal Satpute and ors. : Applicants.

In the matter between

Vikrant A Karnik : Petitioner.
Versus
The State of Maharashtra and ors. : Respondents.

Mr. Shekhar S Bhise for the Petitioner in Writ Petition No.120 of 2018.
Mr. Akshay Sanjay Deshpande for the Applicants in Criminal Application
No.67 of 2018.
Mr. J P Yagnik, APP for the State/Respondent.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.**
DATE : 02nd APRIL 2018

P.C.

1 In the above Writ Petition an order came to be passed on 05/03/2018 wherein the statement of the learned APP Shri J P Yagnik to the effect that mandate of Section 24 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) would be complied with notwithstanding the fact that the statement of the alleged victim has already been recorded earlier,

was recorded by the police. It was further recorded that Smt. Padmja Chavan, Assistant Commissioner of Police, Special Branch, Thane would be recording the statement of the alleged victim in terms of Section 24 of the POCSO Act. We had accordingly adjourned the matter for today i.e. 02/04/2018 to facilitate the aforesaid course of action being followed.

2 Today the learned APP Shri J P Yagnik tenders the file containing the statements recorded of the alleged victim Karishma Suresh Parihar and her mother.

3 Suffice it would be to state that the said statements prima facie belie the case of the Petitioner as set out in the above Writ Petition. The victim girl has denied occurrence of any incident which is alleged to have taken place by the Petitioner. The said statement of the victim girl has been confirmed by the mother of the victim girl. It seems that the statement recorded by the Police Officer Smt. Padmja Chavan is in conformity with the statements of the victim girl which have been recorded under Sections 161 and 164 of the Criminal Procedure Code.

4 In recording the said statements through the said Police Officer the mandate of Section 24 of POCSO Act has been complied with. We therefore do not deem it appropriate to issue directions as sought vide prayer clauses (a)

and (b) of the above Writ Petition. The above Writ Petition to accordingly stand disposed of.

5 In view of the disposal of the above Writ Petition, the Criminal Application No.67 of 2018 for intervention does not survive and the same to accordingly stand disposed of as such.

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]