

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

CRIMINAL APPLICATION NO. 762/2017

(Mrs. Madhuri Agrawal ..Vs.. State of Maharashtra and another)

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

Court's or Judge's orders.

Mr. Narendra Jetha, Advocate for the appellant.
Mr. V.R. Deshpande, Advocate for the respondent 2
Mr. N.R. Patil, Addl. P.P. for the State.

CORAM: ROHIT B. DEO, J.

DATE: 28th FEBRUARY, 2018.

Heard Mr. Narendra Jetha, learned Counsel for the appellant, Mr. V.R. Deshpande, learned Counsel for respondent 2 and Mr. N.R. Patil, Additional Public Prosecutor for the State.

2. The applicant, who is the mother of the child victim, is seeking leave to appeal under Section 378 (4) of the Criminal Procedure Code to challenge the judgment and order dated 19-7-2017 rendered by the learned Additional Sessions Judge, Akola in Sessions Trial 132/2016, by and under which, the respondent 2 is acquitted of offence punishable under Section 7 and 8 of Protection of Children from Sexual Offences Act, 2012 and offence punishable under Section 354-A of the Indian Penal Code.

3. I have perused the reasoning of the learned Sessions Judge, and having done so, I am satisfied that the applicant has made out a case for grant of leave to appeal.

4. The application is allowed.

5. The appeal be registered

Criminal Appeal No. _____/2018

Heard.

2. **Admit**

3. Shri V.R. Deshpande, learned Counsel waives service of notice for respondent 2.

4. Shri N.R. Patil, learned Additional Public Prosecutor waives service of notice for respondent 1.

5. Call for record and proceedings.

6. Action under Section 390 of Criminal Procedure Code be initiated.

RKN

JUDGE