

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1131 OF 2018

Nandkumar Balaso Patil ... Applicant

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Anand Patil for the Applicant.

Nr, F.R. Shaikh, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : FEBRUARY 27, 2019

P.C.:

Matter is being considered by this court since 21st February, 2019. Today, we have looked into the statement under section 162 and 164 of Cr.P.C. of the minor victim. The said statements implicate the petitioner.

2. The effort of the learned counsel for the petitioner is to demonstrate that because of the political rivalry, minor was used initially against him but later on the minor herself has given correct statements and those statements clearly rule out commission of any offence or wrongful act by the petitioner. He therefore, wants the court to examine the statements

chronologically.

3. As the victim is minor and offences alleged are under section 376 IPC as also POSCO Act, we are not inclined to undertake such exercise in this jurisdiction.

4. We however, keep the contentions of the petitioner open and with a liberty to the petitioner to raise it at appropriate juncture, dispose of the present writ petition.

(REVATI MOHITE DERE, J.)

(B.P. DHARMADHIKARI, J.)