

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.569 OF 2018**

Nikhil Arjun Waghmare	]	Petitioner
Versus		
The State of Maharashtra	]	Respondents
.....		
None for the Petitioner.		

Mrs. P.P. Shinde, A.P.P for the Respondent- State.

.....
CORAM : REVATI MOHITE DERE, J.

DATE : 19th NOVEMBER, 2019.

P.C. :

By this petitioner, petitioner has impugned the order dated 21st March, 2017 passed by the learned Sessions Judge, Pune, C.R. No.5 and Special Judge, under Protection of Children from Sexual Offences Act, by which the petitioner's application (Exhibit 20) seeking recall of the prosecution's witness No.1 was rejected by the Additional Sessions Judge.

2. Learned A.P.P, on instructions, states that the aforesaid Petition does not survive inasmuch as the petitioner

has been convicted by the learned Special Judge for the alleged offences punishable under section 354-D, 506 of the Indian Penal Code and sections 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The learned A.PP has tendered a copy of the said judgment and order dated 7th February, 2018. The said judgment and order is taken on record.

4. In view of the aforesaid statement made by the learned A.PP, nothing survives for consideration in the aforesaid Petition. The Petition is dismissed.

[REVATI MOHITE DERE, J.]