

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

CRIMINAL WRIT PETITION NO. 4478 OF 2019

Maria Kuttubudin Lokhandwala

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Mr. Prakash Namdeo Wagh for the Petitioner.

Mr. A.R. Patil, APP for Respondent – State.

Mr. Karansingh Bhagatsingh Rajput for the Respondent No. 2.

CORAM : S.S. SHINDE, J.

DATE : 11th SEPTEMBER 2019

PER COURT :-

1. Heard learned counsel appearing for the parties at length.
2. For the reasons to be recorded separately the Writ Petition is allowed in terms of prayer clause 'a', impugned order dated 22nd August, 2019 passed by the Special Pocso Judge, Sessions Court at Greater Bombay in Special Pocso Case No. 592 of 2018 in C.R. No. 169 of 2016 is quashed and set aside. Rule is made absolute in aforesaid terms.
3. However, liberty is granted to the second Respondent to

apply for permission to go abroad after framing the charge by the concern court.

4. The learned Special POCSO Judge, Sessions Court, Greater Bombay is hereby directed to adhere to the provisions mentioned in Section 35 of the POCSO Act. The learned Special POCSO Judge shall endeavour to frame the charge within three weeks from today and shall conclude the trial within the period prescribed in the said Section 35 of the POCSO Act.

5. Respondent No.2/Accused to appear before the Special POCSO Judge, Sessions Court, Greater Bombay on 20th September 2019.

6. Writ Petition stands disposed of accordingly.

(S.S. SHINDE, J.)