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

CRIMINAL APPEAL NO. 669 OF 2016

Shanky Rameshbhai Chauhan

.....Appellant

V/s.

The State of Maharashtra
and another

.....Respondents

Mr. Aniket Vagal for the appellant
Mr. A. R. Kapadnis APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE : NOVEMBER 21, 2019.

P.C.

For the reasons separately recorded, following order is passed:-

ORDER

- (i) The Judgment and Order dated 06/10/2016 passed by Special Judge under P.O.C.S.O. Act in POCSO Spl. C. No. 508 of 2014 is hereby quashed and set aside. Appellant/accused Shanky Rameshbhai Chauhan is hereby acquitted of the

offence punishable under Section 6 of The Protection of Children from Sexual Offences Act, 2012.

- (ii) Appellant/accused Shanky Rameshbhai Chauhan is also acquitted of the offence punishable under Section 347 of the Indian Penal Code.
- (iii) Order of compensation under Section 33 (8) of the The Protection of Children from Sexual Offences Act, 2012 is also quashed and set aside. Compensation of Rs. 25,000/- if paid by appellant/accused, be refunded to him.
- (iv) Appellant/accused Shanky Rameshbhai Chauhan be released forthwith, if not required in any other crime.
- (v) Appeal is allowed in the above terms.

[NITIN W. SAMBRE, J.]