

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 1246 OF 2019

Mrs. Deepika Ranjit Gohil @ Deepika ... Applicant

Versus

Ranjeet Tababhai Gohil and anr. ... Respondents

Adv. Asmita Bhoir for the applicant.

Mr. Shailesh Kantharia for respondent no. 1.

Mr. G.R. Sawant a/w Mr. P.C. Mohite for respondent no. 3.

Mr. Deepak Thakre, PP a/w Dr. F.R. Shaikh, APP for the State.

CORAM : B.P. DHARMADHIKARI &
SMT. SADHANA S. JADHAV, JJ.
DATE : NOVEMBER 27, 2019

P.C.:

Heard the applicant who is present with her advocate. Respondent no. 1 is present with his advocate. Learned APP appears for respondent no.2 and Mr. Mohite appears for respondent no. 3. Respondent no.3 is the complainant and cousin of the applicant. Advocate Mr. Mohite is seeking time to file reply opposing the proceedings.

2. Papers show that on the date of alleged offence i.e. on 9/6/2013 the present applicant was about 17 years and 6 months old. She has attained the age of 18 years in November, 2013.

3. The FIR lodged by respondent no. 3 brother is under section 370 IPC initially and afterwards section 376 IPC and provisions of POCSO have been added.
4. The applicant has produced the marriage certificate dated 15/4/2019 which shows that she has married with respondent no. 1 on 12/04/2019 at Amreli, Gujarat.
5. Her statement recorded by police shows that in the year 2013, her parents brought her to Mumbai. It also shows love affair between the applicant and respondent no.1 since then.
6. In this situation, we find that no useful purpose would be served by keeping the prosecution pending.
7. We therefore, make the rule absolute in terms of prayer clause (b).

(SMT. SADHANA S. JADHAV, J.)

(B.P. DHARMADHIKARI, J.)