

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APL) NO.999 OF 2018

(Lalit s/o Arun Gajbhiye ..vs.. State of Maharashtra, through PSO, PS Wadgaon Road, Yavatmal)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Firdos Mirza, Counsel for the applicant,
Shri M.K. Pathan, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 26-03-2019

The learned Counsel for the applicant Shri Firdos Mirza seeks leave to withdraw the application.

2. However, Shri Firdos Mirza expresses an apprehension that although the complainant is not a child any longer, the provisions of Section 33(2) of the Protection of Child from Sexual Offences Act may be followed, which may prejudice the accused in effectively cross-examining the complainant.

3. The applicant shall be at liberty to raise objection, if so advised, to the procedure followed by the trial Court in recording the evidence of the complainant.

4. Subject to the above observation, the application is disposed of as withdrawn.

JUDGE