

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

CRIMINAL APPLICATION (APL) NO.1494 OF 2019

Sumit Surajsingh Kagda

...Applicant

vs.

The State of Maharashtra and Ors.

...Respondents

Mr. Pramod S. Kumbhar for the Applicant.

Priyal Sarda for Respondent No.2.

Smt. Aruna S. Pai, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.**

DATE : 5/2/2020.

PC.:

. Applicant is present with his advocate. Complainant/
respondent No.2 is present with his advocate and his minor daughter.

2. FIR is under section 354D of IPC and section 12 of POCSO Act.
Learned APP pointed out that in the meanwhile chargesheet is also filed.

3. It appears that the community people have intervened and
understanding has been given to the applicant. Applicant therefore is trying
to shift his residence to some other locality. Respondent No.3 victim states
that she will attempt to secure 75% marks in 12th standard examination.

4. In view of this development and bonafides shown we are
inclined to intervene in extra ordinary jurisdiction.

5. Accordingly, we make Rule absolute in terms of prayer clause (b). Consequential chargesheet filed because of this FIR in Special Case No.37/2020 is also therefore quashed and set aside.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)