

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

LD-VC-ABA NO. 1089 OF 2020

(Santosh Kisan Barge .Vs. State of Maharashtra thr. P.S.O. Mahagaon Taluka –
Mahagaon, District - Yavatmal)

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

Court's or Judge's order

Shri. A. M. Patil, Counsel for Applicant
Shri. Amit Chutke, APP for non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 7th AUGUST 2020.

Hearing was conducted through video conferencing and learned counsel appearing for the parties stated that the audio and visual quality was clear and proper.

2. Heard Shri. A. M. Patil, the learned Counsel for the applicant.

3. The applicant is apprehending arrest in Crime 377/2020 registered at Mahagaon Police Station, District - Yavatmal for offences punishable under Sections 376 (2) (n), 417 and 506 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

4. I was inclined to dismiss of the application since according to prosecution, the sexual relationship was established when the victim was 16 years old.

5. At this stage, Shri. A. M. Patil, the learned Counsel for the applicant seeks leave to withdraw the application, unconditionally.

6. Since the application is being withdrawn, it is not necessary to articulate the reasons underlying the intended rejection.

7. The application is disposed of, as withdrawn, unconditionally. Shri. Amit Chutke, Additional Public Prosecutor for non-applicant/State, shall ensure that the order is communicated to the concerned Police Station and the DGP, within 72 hours.

8. This order be communicated to the counsel appearing for the parties, either on email address or on Whatsapp or by such other mode, as is permissible in law.

JUDGE

TAMBE

**Vithal
Choulwar**

Digitally signed
by Vithal
Choulwar
Date:
2020.08.07
16:06:20 +0530