

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

Criminal Application (APL) No. _____ of 2020 (LD-VC No. 503 of 2020)

[Seema D/o Rambhau Meshram Vs. The State of Maharashtra through the P.S.O., P.S. Chandur Bazar, Tq. Chandur Bazar, Dist. Amravati]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P. R. Agrawal, Advocate for the applicant
Shri T. A. Mirza, APP for the State/non-applicant no. 1

CORAM : Z. A. HAQ AND S. M. MODAK, JJ.

DATE : 24/07/2020

Heard Shri Agrawal, Advocate for the applicant and Shri Mirza, learned Additional Public Prosecutor for the non-applicant no. 1.

2. The applicant, co-accused in crime registered against four persons (including the applicant) for offences punishable under Sections 376(3), 195A and 218 of the Indian Penal Code and Sections 4, 6 and 17 of the Protection of Children from Sexual Offences Act, seeks quashing of the proceedings against her. According to the applicant, the accusations made against her do not constitute any offence and she is falsely implicated.

3. Undisputedly, the investigation is going on. The investigation is in respect of allegations of commission of rape on a minor girl by her father and brother. The applicant is a counsellor of Government Observation Home. According to the applicant, it is her duty to advise the victims and make them comfortable to enable them to make correct statement before the Investigating Agency

and it being so, it cannot be expected that the applicant would have instigated the victim to give wrong/false statement to the Child Welfare Committee.

4. In response to the notice issued by this Court, the non-applicant no. 1 has filed its reply opposing the application filed by the applicant under Section 482 of the Code of Criminal Procedure. According to the non-applicant/Investigating Agency, there is material on record to support the case of the prosecution.

5. Be that as it may, we are not inclined to go into the merits of the matter at this stage as the investigation is still going on. Hence, we dismiss the criminal application.

6. It is clarified that we have not examined the merits of the matter and it would be open to the applicant to approach the appropriate forum after filing of the charge-sheet, to seek redressal of her grievance.

JUDGE

JUDGE

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