

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

CRIMINAL APPLICATION (ABA) NO. 725 OF 2020

(Jkivan s/o Tanuji Salame ..vs.. State of Maharashtra, through PSO Aroli)

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

Court's or Judge's orders

Mr. H.P. Lingayat, Counsel for the applicant,
Mrs. Kalyani Deshpande, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 15-12-2020

Ms. P. unfortunately committed suicide on 26-10-2020 by consuming poison.

2. The father of the deceased lodged report on 27-10-2020 alleging that the applicant, who was the Principal of the school at which the deceased was studying, sexually exploited her promising employment and marriage.

3. I have perused the case diary and the statements of witnesses. The statement of the friend of the deceased is recorded. The sexual exploitation of the deceased, who then was as minor, is vividly narrated. While I consider it inappropriate to make any decisive observation or to minutely examine every material in the charge-sheet, since reasons must be indicated, however, briefly, it must be observed that there is ample material on record to *prima facie* show that the applicant misused and abused his moral authority and trust and sexually

exploited a minor student. Unfortunately, Ms. P., who was hardly 18 years when she took the extreme step of committing suicide, could not bear the shock and trauma of the refusal of the applicant to marry her as promised. While initially offences punishable under Sections 306 and 376(2)(f)(n) of the Indian Penal Code were registered, considering that Ms. P. was a minor when she was sexually exploited, the provisions of the Protection of Children from Sexual Offences Act are invoked.

4. No case is made out for exercising discretion in favour of the applicant.

5. The application is dismissed.

JUDGE

adgokar