

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

14 CRIMINAL WRIT PETITION NO.980 OF 2022

RUSHIKESH RAMESH GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr.Talekar Nagesh G. (absent)
APP for Respondents-State : Mr.S.J.Salgare

**CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.**

DATE : 12th December, 2022

PER COURT :-

. Learned Advocate for the petitioner is absent. He was absent on 14-11-2022 also. This Court had recorded on 01-08-2022, when the girl was produced before this Court, that she had voluntarily gone to her paternal aunt's place and resided there since 16-12-2021. She had denied all the allegations in the petition. Further note was also taken regarding the order of custody of the girl passed by C.W.C., Aurangabad and therefore, this Court was of the opinion that when the said order has been passed by competent authority, there is no necessity to pass any separate order. However, learned Advocate for the petitioner wanted to canvass prayer clause-[C] in which the petitioner had prayed that respondent Nos.2 to 4 should be directed to take cognizance of the complaint dated 09/11.07.2022 filed by the

petitioner for lodging complaint against respondent Nos.5 to 10 under the provisions of Indian Penal Code and POCSO Act. The petitioner was then directed to file affidavit and documents, if any.

2. Neither affidavits nor documents have been produced. Under such circumstances, it appears that the petitioner has lost interest in prosecuting the petition. Hence, petition stands dismissed in default.

(ABHAY S. WAGHWASE)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

SPT