

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.863 OF 2021

Topanna Mayyapa Hubnur ... Appellant
Vs.
State of Maharashtra and another ... Respondents

Mr. Satyavrat Joshi i/b. Mr. Sunil S. Kamble for Appellant.
Mr. S. S. Hulke, APP for Respondent No.1-State.

**CORAM : S. S. SHINDE &
SARANG V. KOTWAL, JJ.**

DATE : MARCH 29, 2022

P.C. :

. Heard Mr. Joshi, learned counsel appearing for the appellant and Mr. Hulke, learned APP appearing for respondent No.1-State.

2. Mr. Joshi invited our attention to the contents of the F.I.R. so also the medical report and submits that if the medical report is carefully perused, there is no substance in the allegations made in the F.I.R.

3. On the other hand, learned APP invited our attention to the allegations in the F.I.R. and submits that the allegations are very serious in nature and at this stage, minute scrutiny of medical evidence needs no consideration since charge is framed and trial is awaited.

4. Upon appreciating rival contentions and on perusal of the F.I.R. so also the other materials placed on record, we are of the view that the allegations made in the F.I.R. are very serious in nature. It appears that the prosecutrix immediately narrated the incident to her brother and thereafter the F.I.R. has been registered.

5. In that view of the matter, we are not inclined to entertain this appeal. Hence, the appeal stands dismissed.

(SARANG V. KOTWAL, J.)

(S. S. SHINDE, J.)

Minal Parab