

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION (APL) NO.116 OF 2021

Akash Sarang Jadhav

...Applicant.

Versus

The State of Maharashtra & Anr.

...Respondents.

Mr. Sanjeevkumar Bapu Deore a/w. Adv. Suchita Pawar for the Applicant.

Smt. M. M. Deshmukh, APP for the respondent-state.

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ**

DATED : 28th FEBRUARY, 2023

P.C.:

1. Leave to amend. Amendment to be carried out forthwith.
2. In response to the Court's query learned counsel for the applicant informs that the applicant is not charge-sheeted in Crime No. I-492 of 2020 for the offence punishable u/s. 376(2)(N), 313, 506 of IPC.
3. Upon perusal of the FIR dated 10/09/2020 prima facie we are of the view that the relationship between the respondent no. 2/complainant and applicant were out of consent extended by the respondent no. 2/complainant.
4. In view thereof, issue notice to the respondents, returnable on 06/04/2023.

5. Learned APP waives service of notice on behalf of respondent-state.
6. Notice to the respondent no. 2 to be served through respondent no. 1.
7. In case if the copies for effecting service are not supplied within a period of two weeks from today, the application stands dismissed without further reference to the Court.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)