

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 251 OF 2023

Siddhesh Sudhakar Pawar ...Appellant
Versus
The State of Maharashtra & Anr. ...Respondents

ALONGWITH
CRIMINAL APPEAL NO. 252 OF 2023

Sandesh Lahu Nalawade ...Appellant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. M.K.Kocharekar i/b Prathamesh Naik & Mr. Shubham Kadam,
for the Appellant in APEAL/251/2023.

Mr. Shubham Kadam i/b Mr. Vishal Kolekar & Mr. Randhir Kale for
the Appellant in APEAL/252/2023.

Mr. S.S.Pednekar, A.P.P for the Respondent-State.

Ms. Gauri Rao, appointed Advocate for the Respondent No.2.

CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
DATE : 27th MARCH, 2023

P.C. :

1. Vide order dated 16th September, 2022, leave to amend

was granted to the learned Counsel for the appellants to delete the name of the prosecutrix from the array of respondents and wherever it appeared in the appeals. In the cause title, the name of the respondent No.2 has been deleted and replaced with alphabets, however, the said amendment has not been carried out properly in the body of the appeal memos.

2. Hence, we permit learned Counsel for the appellants to carry out the said amendment in the body of the appeal memos and delete the name of the respondent No.2 properly, wherever it appears in the appeal memos. The same to be done, during the course of the day.

3. Heard learned Counsel for the parties.

4. After arguing for sometime, when the Court was not inclined to consider the prayer of the appellants, seeking their enlargement on bail, learned Counsel for the appellants in both the

aforesaid appeals sought leave to withdraw the said appeals. Learned Counsel however, requests that the trial of the appellants be expedited.

5. Both the appeals are accordingly disposed of as withdrawn.

6. We are inclined to expedite the trial not because the learned Counsel for the appellant has requested for the same, but having regard to the mandate of POCSO Act and having regard to the age of the prosecutrix, at the relevant time. The learned trial Judge to conclude the case as expeditiously as possible and in any event, within one year from the date of receipt of this order.

7. As far as the evidence of the prosecutrix is concerned, the same to be recorded by the trial Court at the earliest, considering the mandate of the POCSO Act and the directions issued by this Court in Bail Application No. 3242 of 2019 dated 1st April, 2022.

8. The appeals are accordingly disposed of on the aforesaid terms.

9. All concerned to act on the authenticated copy of this order.

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.