

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2483 OF 2022**

Kalandar Badshah Shaikh

...Petitioner

V/s.

State Of Maharashtra

...Respondent

None for Petitioner.

Mrs. S.D. Shinde, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 22nd FEBRUARY 2023.****P.C.:-**

. The benefit of Government Resolution dated 03.06.2017 issued on the occasion of 125th Birth Anniversary of Dr. Babasaheb Ambedkar is not extended to Petitioner as he has been held guilty by the trial Court for an offence punishable under Section 376(2)(i) of Indian Penal Code and under Section 6 of Protection of Children from Sexual Offences Act, 2012 Act. The victim in the said crime was aged about 5 years. The learned Judge of the trial Court has opined that, taking into consideration the said facts and the serious nature of crime, Petitioner is not entitled for benefit of the said Circular.

2. We see no reason to have second opinion than what has been expressed by the learned Judge of the trial Court by his communication dated 26.08.2021.

3. Petition is devoid of merits and is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)