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

WRIT PETITION NO. 4405 OF 2018

Christina Vinod Sumer
V/S

....Petitioner

Farmeenabee Maqbool Shaikh@ Farmeena
Alfred Pikkin & Anr.

....Respondents

None for the petitioner

Mr. V. B. Konde-Deshmukh, APP for the respondent-state
Mr. Ashok Patil, PSI, Malvani Police Station present.

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

DATED : 6nd JANUARY, 2023

P.C.:

1. None for the petitioner.
2. Witness, a minor girl, has alleged commission of offence u/s. 370, 372, 373, 376(2)(F)(R)(N), 506 r/w. 34 of IPC, u/s. 4, 5, 6 & 8 of Immoral Traffic (Prevention) Act and u/s. 4 & 8 of POCSO Act against the respondent/accused.
3. Since the investigating officer noticed sufficient material to prosecute the accused person was available, charge-sheeted her before the Session Court, Dindoshi vide Special Case No. 202/2017.
4. Surprisingly, the mother of the victim girl has preferred this

petition seeking quashing of FIR alleging that her daughter has filed false complaint.

5. Once the respondent/accused is charge-sheeted having found to have prima facie involved in the commission of the offence, in our opinion the petitioner ceased to have any locus to seek quashing of FIR in favour of the accused person as it is for the state to prosecute the offender. Only right to which the petitioner in our opinion is entitle to is of being witness in the Trial.

6. Apart from above, none appeared for the petitioner. We have heard learned APP in detail.

7. In view of above, the petition stands dismissed.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)