

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.1278 OF 2024**

Archana Avinash Shelke

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Ms. Anima Mishra i/by Hulyalkar & Associates, for the Petitioner.

Smt. Anamika Malhotra, APP, for Respondent No.1-State.

PSI Anil Rikibe PSI attached to Khadki Police Station, Pune City present.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.****DATE : 13th JUNE, 2024.****P.C.:-**

- 1) Leave to amend to annex copy of the charge sheet and to incorporate challenge to it in the pleadings and prayer clauses, granted. Amendment be carried out within a period of two weeks from today.
- 2) Issue notice to the Respondent No.2 returnable on 19th July 2024.
- 3) Learned advocate for the Petitioner is directed to supply amended spare copies of the Petition in the Registry within a period of one week from today, failing which the Petition shall stand dismissed without further reference to this Court.
- 4) Perusal of the record *prima facie* indicates that, complaint

lodged by mother of the victim has no substance in it. The statement of the victim boy recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) by the learned Judicial Magistrate First Class indicates that, no assault as stated by his mother in the complaint ever happened with him.

5) In view thereof, till the returnable date, all further proceedings arising out of C.R.No.0100 of 2024 registered with Khadki Police Station, Pune are stayed.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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