

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 406 OF 2024

Jalindar Balkrishna Gole Applicant

Versus

The State of Maharashtra Respondent

Mr. Ashwin Thool a/w Mr. Prashant Pandharikar, Mr. Rasib Shaikh
and Mr. Avinsh Veer, Advocate for the Applicant.
Smt. P. P. Bhosale, APP, for the State.

Digitally
signed by
SHANTANU
SHANKARSA
DHUDUM
Date:
2024.08.17
10:11:58
+0530

CORAM : R. M. JOSHI, J.

DATE : 16th AUGUST, 2024.

P.C. :

1. At the outset, learned counsel for the Applicant seeks leave to add victim as party Respondent to this Application. She be added as a party by ensuring that her name is not disclosed anywhere. The address of the Respondent be submitted in a close envelope.
2. Leave to amend.
3. Amendment be carried out within two weeks.
4. Heard learned counsel for the Applicant submits that the

impugned order came to be passed in ignorance of provision of Section 15(2) of Protection of Children from Sexual Offences, Act, 2012 (for short “POCSO Act”). Learned counsel for the Applicant has drawn attention of this Court to the order impugned, wherein no observation is made by the learned Additional Sessions Judge in respect of the exception carved out for the use of the pornographic material in any form involving the child as evidence in the Court.

5. Having regard to the said provisions as well as the issue involved herein, arguable case is made out by the Applicant. Hence, issue notice to the Respondents.

6. Till next date of hearing, there would be stay to Special Case No.384 of 2017 qua Applicant.

7. Learned APP waives service on behalf of Respondent - State.

8. Stand over to 19th September, 2024.

(R. M. JOSHI, J.)