

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.1028/2024
 (Raju Ramlal Chandel Vs. State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. Mohd. N. Opai, Advocate for the applicant.

CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 14.8.2024.

Heard.

2. This is an application seeking to quash chargesheet arising out of Crime No.506/2023 registered by non-applicant No.1 for the offence punishable under Sections 376(AB), 354(A) of Indian Penal Code read with Sections 4, 6 and 8 of Protection of Children from Sexual Offences Act.

3. The informant mother lodged a report on 1.9.2023 to the police station stating that on 19.8.2023 her daughter informed about the sexual abuses occurred prior to three years and, therefore, the report.

4. The minor has disclosed to the informant mother that prior to three years while they were travelling by vehicle to attend the marriage ceremony, the minor was sitting in the lap of applicant, by taking advantage of darkness during journey, victim was sexually abused.

5. The learned Counsel for the applicant would submit that though victim is a minor, the information of the incident after three years itself is improbable. It is argued that as per the informant's own narration occurrence was disclosed to her on 19.8.2023 still for next 10 days report was not lodged. Our attention is invited to the variance in date of

disclosure in between the statement of informant and minor victim. Moreover, it is submitted that the statements recorded during investigation did not support the prosecution case. Lastly it is contended that informant's nephew got married with daughter of accused and thus out of family dispute this after though report has been lodged with ulterior motive.

6. Issue notice for final disposal to non-applicants returnable on 12.9.2024.

7. Mr. A.R. Chutke, learned A.P.P. waives notice for respondent No.1.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)