

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (A.PL.) NO. 1422 OF 2024**

Rohit Arvind Patel

... Applicant

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Mahesh R. Joshi for Applicant.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Officer : Mr. Shailesh Baburao Kale, A.C.P, Ambernath, Dist. Thane, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 30th July 2025.****P.C. :**

1) Learned A.P.P, on instructions from Assistant Commissioner of Police Mr. Shailesh Kale, submitted that, in furtherance of the pleadings in the Application by the Applicant, who is the biological father of Master Tasmay, the Police have conducted in depth inquiry in to the said allegations.

2) On 28th July 2025, Mr. Swapnil Chaure, Police Sub-Inspector attached to Shivajinagar Police Station, Ambernath, District Thane, has recorded statement of Dr. Nikhil Parikh having residential address as 401, Nine-Square, Haney Park Road, Adajan, Surat, State of Gujarat. The

concerned doctor is children specialist and owns a hospital by name, Nikhil Children Hospital.

2.1) In his statement, Dr. Nikhil Parikh has stated that, Master Tasmay Patel aged about 3 years was admitted to his hospital on 15th March 2023 and was discharged on 17th March 2023. The Discharge Summary Report is handed over to the concerned Police Officer.

2.2) The said Doctor has further stated that, on 28th July 2025 also, Smt. Jayashri Champaneria had brought Master Tasmay to his hospital and at her request, he has medically checked the said boy. He noticed that, no circumcision done on him and no injury to the said part was noticed. It is further stated that, the allegation of Applicant is completely false and there is no truth in it. That, he had checked Master Tasmay clinically and found that, the allegation is not true.

3) We have perused the Discharge Summary Report dated 17th March 2023 issued by Nikhil Children Hospital. It discloses that, on 14th March 2023 the said boy was clinically and physically examined by the concerned Doctor with a complaint of "Fever MD continuous 5-6 days, vomiting, body-ache, headache, cough nocturnal and weakness for 4 days". The said boy was therefore prescribed medicine by the concerned Doctor and he was discharged from the said hospital on 17th March 2023 in the morning.

4) In view of the above, the grievance of the Applicant does not survive.

5) Learned Advocate for Applicant therefore seeks leave to withdraw Application unconditionally.

5.1) Leave granted.

6) Disposed off as withdrawn.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)

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