

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 1635 OF 2024**

ABC

Through Haridas Bajirao Gholave

.....Applicant

Vs.

XYZ

Through Jayprakash Dattaram Daple &amp; Anr.

.....Respondents

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Dr. Samarth Shrikant Karmarkar i/by Karmarkar & Associates for the Applicant.

Adv. Rushita Jain a/w Adv. Tarun Shailesh Shrivastava for the Respondent No.1.

Mr. Vinod Chate APP for the Respondent No.2-State.

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**CORAM : A. S. GADKARI AND  
RAJESH S. PATIL, JJ.**

**DATE : 24<sup>th</sup> JULY, 2025.**

**PC.:-**

1) In view of the decision of the Hon'ble Supreme Court in the case of *Suo Motu Writ Petition (C) No. 3 of 2023 with Criminal Appeal No.1451 of 2024 dated 20<sup>th</sup> August, 2024, In Re : Right To Privacy of Adolescents reported in AIR 2024 SC 4004*, and in particular paragraph No.23(1) thereof, the Petition for quashing of crime under POCSO Act, even by consent, is not maintainable.

2) Mr. Karmarkar, learned Advocate for the Applicant therefore on instructions seeks leave to withdraw present Application with liberty to file an Application for discharge before the trial Court.

2.1) Leave and liberty granted.

3) Disposed off as withdrawn with aforesaid liberty.

**(RAJESH S. PATIL, J.)**

**(A.S. GADKARI, J.)**

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MASHALKAR

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