

Prasad Rajput
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 818 OF 2024

Chandan SK @ Chandanlal Laltu Shaikh

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

.....

- Mr. Kamlesh N. Gujar, Advocate for Applicant.
- Mr. Mayur S. Sonavane, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 14, 2025

P.C.:

1. Heard Mr. Gujar, learned Advocate for Applicant and Mr. Sonavane, learned APP for State.

2. Pursuant to the order dated 9th December, 2024, report of Registry dated 10.01.2025 states that notice is issued to Respondent No.2 and service is awaited. This is a POCSO case where Respondent No.2 is required to be heard. However, there is a letter report dated 11.12.2024 by the Rescue Foundation in the case of the victim i.e. Respondent No.2 before this Court and addressed to Senior Police Inspector Malvani Police Station which states that Respondent No.2 is the original resident of West Bengal and Child Welfare Committee has directed to send her to her original native place in West Bengal. She has been duly escorted under the Police Escort to her native place.

3. How Respondent No.2 will have to be served and whether she will appear or any Advocate will have to be appointed is the question. Investigating Officer shall find out as to whether the victim has been sent to her original native place or whether she has been transferred to Kolkata under the care of another organization which is evident from the Transfer Order dated 18.10.2023. Said transfer order is placed before me by the learned APP. Transfer order states that Respondent No.2 is required to be transferred to Jabala Research Organisation having address at 221/6-B Rash Behari Avenue, Kolkata – 700019 for her future rehabilitation.

4. It is not clearly evident that at present where Respondent No.2 is transferred. Therefore, Investigating Officer is directed to investigate and apprise the Court. In the meanwhile it shall be open for the Investigating Officer to approach the concerned counterparts and obtain the address of Respondent No.2 and place the same before the Court. All parties shall act upon server copy of this order to secure the address of Respondent No.2 as expeditiously as possible, considering the fact that present bail application is languishing since April, 2024.

5. Stand over to **21st January, 2025**. To be listed under the caption 'First on Board'.

[MILIND N. JADHAV, J.]