

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2958 OF 2025

Kamal Nayan Vinay Shankar Dubey

... Petitioner

V/s.

U.T. Administration of Dadra and Nagar
Haveli and Anr.

... Respondents

Mr. D. K. Singh for Petitioner.

Mr. Hiten Venegavkar a/w. Mr. Shantanu Nakashe for Respondent No.1.

Ms. Durga Rajput for Respondent No.2.

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

DATE : 25th JULY 2025

PC.:-

- 1) Present Petition is filed for quashing of crime under Sections 376 and 420 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act.
- 2) In view of the ratio laid down by the Hon'ble Supreme Court in Suo Moto Writ Petition (C) No. 3 of 2023 dated 20th August 2024, reported in AIR 2024 SC 4404, the crime under POCSO Act cannot be quashed even by consent.

3) In view thereof, learned Advocate for Petitioner, on instructions, seeks leave to withdraw Petition with liberty to file an Application for discharge before the trial Court.

3.1) Leave and liberty granted.

3.2) Disposed off as withdrawn with aforesaid liberty.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)