

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 12 OF 2025

Rakesh Mahadev Jadhav

... Applicant

Versus

State of Maharashtra & Anr.

... Respondents

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Ms. Srushti S. Chalke, Advocate for the Applicant.

Mr. Pankaj Deokar, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 3rd APRIL, 2025.

P. C. :

1. By this Revision Application, the applicant has challenged the order of rejection of discharge application of the applicant passed by the learned Special Court, Mumbai.
2. It is contention of learned counsel for the applicant that allegations against the applicant are that he has outraged the modesty of daughter of the first informant. The first informant has filed affidavit before the trial Court that no such incident was happened and complaint was filed due to misunderstanding. But the said fact is not considered by the learned Trial Court. Learned counsel further submitted that there is no case made out against the applicant, hence requested to allow the application.
3. It is contention of learned APP that victim and her mother is present

in Court and both are stating that no such incident was happened and they do not want to contest the matter and application be allowed.

4. I have heard both the learned Counsel. The allegations against the applicant are that he took the victim for ride and outraged her modesty. At the time of incident victim was 16 years old, now she is 20 years old. She is present in Court. The First informant also present in Court. Both submit that the complaint was filed due to misunderstanding and they do not want to contest the matter. Considering these facts, I pass following order.

ORDER

- i. The application is allowed.
 - ii. The applicant is discharged from Crime No. 235 of 2021 registered with BKC Police Station, Mumbai for the offences punishable under Section 354, 354A of Indian Penal Code and under Section 8 of Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”).
5. The Revision Application is disposed of.

(SHIVKUMAR DIGE, J.)