



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION NO. 646/2025

IN

CRIMINAL APPEAL NO. 89/2020

**Nivruti Barikrao Rajput Vs. The State of Maharashtra Through Police
Station Officer, Police Station, Buldana (City)**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Dhruv Sirpurkar, Advocate for Appellant
Mr. A.R. Chutke, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 9th OCTOBER, 2025

1. Heard.

2. The learned counsel for the applicants has moved the application seeking permission to bring the legal representatives (LRs) of the deceased appellant on record and for setting aside the order of abatement. The learned trial Court, in Special (POCSO) Case No. 8/2018, by its judgment and order dated 11.09.2019, convicted the appellant for an offence punishable under Section 9 read with Section 10 of the Protection of Children from Sexual Offences Act, 2012, sentencing him to rigorous imprisonment for five years and imposing a fine of Rs. 10,000/-. In default of payment of fine, the appellant was directed to undergo rigorous imprisonment for an additional period of three months.

3. It is submitted by the learned counsel for the applicants that the appellant was a Government servant and that the release of his retirement benefits is contingent upon the outcome of the present appeal. Therefore, the applicants have filed the present application to bring them as the legal heirs of the deceased appellant on record and to set aside the order of abatement.

4. The application is allowed. The necessary amendment shall be carried out in the cause title to reflect the inclusion of the legal heirs as parties to the appeal.

The matter is listed for further consideration on 11.11.2025.

(NIVEDITA P. MEHTA, J.)

MP Deshpande