

ORDER BELOW EXH.1

1] Police of Rajgad Police Station filed “B” Summary Report in respect of C.R. No. 79/2017 for offences U/Sec. 363, 366-A, 376 of Indian Penal Code and under Sections 4,8 of Protection of Children from Sexual Offences Act.

2] After receiving 'B' summary report, notice was issued to first informant. The informant is not traceable and accordingly, the police have submitted the reports. According to the investigating officer that during the search of the victim after receiving the report by the mother of the victim under Section 363 of Cr.P.C., the victim appeared in the Police Station on 13.05.2027 and she disclosed her date of birth 07.06.1997 and further disclosed that she is 19 years old and married to the accused at Alandi and after marriage, they had physical relations. Further, the victim disclosed that she married to the accused against the will of her parents and therefore, intentionally by concealing her correct age, lodged the report. Further, she has submitted to the police that she did not want to stay along with her parents and she has been kept in Observation Home. Further, it discloses that the accused was arrested on 14.05.2017 and he released on bail. The medical officer has given the report of ossification test of the victim and disclosed her age in between 18 years to 20 years. Further, during the investigation, the birth certificate was obtained from Gramsevak Gondi, Tal. Indapur, where her date of birth mentioned as 07.06.1997. Thus, the victim was major at the time of the alleged incident. Further, police have collected the documents of marriage of the victim and the accused and they married as per rites and religion at Alandi on 11.09.2016.

3] The victim disclosed to the doctor that she was in love affair with the accused and they eloped and got married and they had several episodes of sexual intercourse.

4] Thus, in the facts and circumstances, as the informant though notice issued repeatedly has not found and even the police obtained report from Advocate Ghate regarding filing of “B” final report due to want of cogent evidence against the accused, there is no alternative to accept “B” summary filed by the police. With this I proceed to pass the following order-

ORDER

“B” summary report is accepted.

Date – 21.08.2023.

(S.P. Ponkshe)
Addl. Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F File Judgment are same word for word as per original judgment.

Name of Steno	- Sau.S.V. Thakar, (Steno G-1).
Court Name	- Smt. S.P.Ponkshe, Addl.Sessions Judge,Pune.
Date of Order	- 21.08.2023
Order signed by P.O.	- 21.08.2023
Order uploaded on	- 22.08.2023