

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION (APL) NO. 355 OF 2024

Vardan Vishwas Upadhya Applicant

V/s.

The State of Maharashtra And Anr. Respondents

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Mr. Ganesh Gupta a/w Mr. Sahil Ghorpade, Mr. Madan Khasole i/b GG Legal Associates, for the Applicant.

Mrs. Rutuja Ambekar, A.P.P. for the Respondent No.1 – State.

Mr. Jagrut Patil, for the Respondent No.2.

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**CORAM : PRAKASH D. NAIK, &
MANJUSHA DESHPANDE, JJ.**

DATE : 22nd MARCH, 2024.

P.C.:

1. Not on board. Upon mentioning, taken on production board.
2. The Applicant is charged with the offence punishable under Sections 376(2) (j), 341, 354(D) of the Indian Penal Code, and Sections 4, 5 (j)(2), 6 and 8 of the Protection Of Children From Sexual Offences Act, 2012 (“POCSO Act”). It is submitted that the aforesaid Application is for quashing the proceeding with the consent of the complainant/victim.
3. The charge-sheet has been filed against the Applicant and

the next date of hearing before the trial Court is 6th May, 2024.

4. The issue, whether the proceedings can be quashed with the consent of the victim, wherein the provisions of the POCSO Act has been invoked, is pending before the Hon'ble Apex Court.

5. Stand over 4th July, 2024.

6. In the meantime, the proceedings in the trial Court are stayed.

(MANJUSHA DESHPANDE, J.)

(PRAKASH D. NAIK, J.)