

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

CRIMINAL WRIT PETITION NO. 4111 OF 2025

Meenal Baghel and Anr.

...Petitioners

Vs.

The State of Maharashtra and Anr.

...Respondents

Adv. Dimple K. Shah a/w Adv. Siddhant Vakil	Advocate for the Petitioners
Shri Yogesh Y. Dabke	APP for the Respondent-State
Adv. Rahul Sabnis	Advocate for the Respondent No. 2
Shirish Shivaji Shinde	API Azad Maidan Police Station

CORAM : S. M. MODAK, J.

DATE : 03rd SEPTEMBER 2025

P.C. :-

1. Heard learned Advocate for the Petitioners/accused Nos. 1 and 3, also heard learned APP and learned Advocate for the Respondent No. 2-Accused No. 2.
2. Accused are prosecuted by Azad Maidan Police Station for an offence punishable under Section 228 (A)(1), 500, 501, 502 of the Indian Penal Code and under Section 3 of Young Persons (Harmful

Publications) Act, 1951 and under Section 4 of the Indecent Representation of Women Act, 1986.

3. The prosecution is on the basis of the articles published in Mumbai Mirror. Copies of those articles are annexed to the petition (on page nos. 88 and 89). The present Petitioner No. 1 was the Editor at that time and Petitioner No. 2 is publisher, whereas Respondent No. 2 is Reporter.

4. These articles pertain to one incident of rape in respect of separate offence as registered at Trombay Police Station. The prosecution is lodged on the complaint of one Apoorva Kaiwar. She claims to be a member of Forum against Oppression of Women. According to her by publishing that news article, the identity of the victim of rape is disclosed.

5. Both these Petitioners have applied for stopping of the proceeding as per the provisions of Section 258 of the Criminal Procedure Code. However, they have failed. Their revision have also failed and that is why this petition.

6. The learned Advocate for the Petitioners made following submissions:-

- a) for an offence under Section 500 of the Indian Penal Code, there has to be complaint by aggrieved person as contemplated under the provisions of Section 199 of the Criminal Procedure Code and Complainant cannot be said to be aggrieved person.
- b) Even if the news article is read and Police statements are read, it cannot be said that identity of the victim is disclosed.
- c) The statements which are recorded by the Police are from the same college and they were already knowing the victim.
- d) She relied upon the observations in case of ***John Thomas Vs. Dr. K. Jagadeesan***¹.

7. Learned APP submitted that considering the facts and circumstances, direction be issued to the Petitioners to join the first informant as party. **I agree to his submission. The first informant needs to be heard.**

8. **Let the Petitioner to add the first informant as Respondent No.**

¹ (2001) 6 SCC 30

3. Amendment to be carried out within one week and then notice be issued to her returnable on 09th October 2025.

9. Now the matter is fixed before the trial Court for recording the plea. Let the trial Court to defer the hearing of the plea till the next date of hearing of this matter.

[S. M. MODAK, J.]