

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

CRIMINAL WRIT PETITION (STAMP) NO.21527 OF 2022

Suraj Sadashiv Shetty ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

Mr. Hrishikesh Mundargi i/b Mr. Manoj Kumar Tiwari, for the
Petitioner.

Mr. J. P. Yagnik, A.P.P for the Respondent No.1– State.

***CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.***

DATE : 9th JANUARY 2023

P.C. :

1. Despite the mandate of Protection of Children from Sexual Offences Act ('POCSO Act'), the learned counsel for the petitioner has mentioned the name of the prosecutrix's mother in the petition and in the cause-title as well as annexed the photographs, chats, emails.

2. For the same, we impose costs of Rs.10,000/- on the learned counsel for the petitioner. The said costs to be paid to the

Kirtikar Law Library, Mumbai, within one week from today.

3. Accordingly, leave to amend is granted to the learned counsel for the petitioner to mask the name of the respondent No.2 (prosecutrix's mother) in the cause title and wherever it appears in the petition and replace it with an alphabet. Amendment is also granted to remove the photographs annexed to the petition. The said amendment to be carried out forthwith.

4. On amendment being carried out, issue notice to respondents, returnable on **13th February 2023**. Hamdast permitted. Learned APP waives notice on behalf of respondent No.1 and seeks time to take instructions.

5. In addition to Court notice, learned counsel for the petitioner, to serve the respondent No.2 by private notice and file affidavit of service before the next date.

6. Learned Counsel for the petitioner to supply a spare copy in the Registry, if not supplied, within two weeks from today, so as to enable the Registry to issue notice to the respondent No.2, failing which the petition shall stand dismissed for non-prosecution.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.