

GRM

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

CRIMINAL REVISION APPLICATION NO. 447 OF 2022

Ashok Chunilal Panchal ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Laxmikant Shrimangale, Adv. for the Applicant.

Mr. R. M. Pethe, APP for the State/Respondent.

PI Pawle, Azad Maidan Police Station, Mumbai.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 28, 2023

P.C. :

Heard.

2. It is informed that the application moved by the applicant for discharge, has been rejected on 06/07/2022. Charge has also been framed against the applicant for the offences punishable under Section 354(a), (b) & (c) of the Indian Penal Code, 1860, under Sections 8 & 12 of Protection of Children from Sexual Offences Act, 2012 and under Section 67 of the Information Technology Act, 2000. The main allegation against the applicant herein is that he snapped seven video clips of victim/informant herein.

3. Admittedly, the alleged video clips have not been furnished to the applicant herein. As such, there is no compliance of Section 207 of the Code of Criminal Procedure, 1973. Without such

compliance, the application for discharge came to be heard and even charge has been framed.

4. In the aforesaid backdrop, the revision application is allowed. The orders dated 06/07/2022 rejecting the discharge application of applicant and dated 29/12/2022 framing of charge, are hereby set aside. The Trial Court shall furnish the applicant copies of video clips and then decide his application for discharge on its own merits.

5. Needless to mention that the video clips and the police-papers would be looked into while hearing the application for discharge.

6. Criminal Revision Application No. 447/2022 stands disposed of accordingly.

(R. G. AVACHAT, J.)