

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3797 OF 2022

Rakesh Ramnivas Sharma ...Petitioner
Versus
Bharti Shirish Kadam & Anr ...Respondents

Mr. Zaid Anwar Qureshi i/b Hulyalkar & Associates for the Petitioner.

Mr. J.P.Yagnik, A.P.P for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.**
DATE : 22nd DECEMBER, 2022

P.C. :

1. At the outset, learned Counsel for the petitioner seeks leave to amend to mask the name of the prosecutrix wherever it appears in the petition, including in the cause title of the aforesaid petition. Leave granted. Amendment to be carried out during the course of the day.

2. Despite Section 228A of the Indian Penal Code and despite

repeatedly telling the Advocates that it is an offence to disclose the name of the prosecutrix which is punishable with two years, the name of the prosecutrix is disclosed in the aforesaid petition. Hence, the law firm, who drafted the petition, to deposit costs of Rs.5,000/- with the Kirtikar Law Library within two weeks from today.

3. On amendment being carried out, issue notice to the respondents returnable on **8th February, 2023**. Learned APP waives notice on behalf of the Respondent No.2-State.

4. In addition to Court notice, learned Counsel for the petitioner to serve the respondent No.1, by private notice and file affidavit of service before the next date.

5. Spare copy to be supplied in the Registry of this Court, if not supplied earlier, within two weeks from today, failing which, the petition shall stand dismissed for non-prosecution, without any further reference to this Court.

6. Having heard learned Counsel for the petitioner, in the meantime, till the next date, the trial Court to defer the proceeding pending before it.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.