



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

BAIL APPLICATION NO. 229 OF 2023

HARSHANANDAN BALIRAM SONAWANE ..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Mr. Aniket Nikam, for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

Ms. Payal Vardhan, for Respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 06, 2023

P.C. :

1. Heard learned counsel for the applicant.
2. Learned counsel for the applicant, on instructions, seeks leave to withdraw the present application with liberty to apply for bail after 3 months.
3. The bail application is allowed to be withdrawn.
4. In the facts and circumstances of the present case, considering that the applicant is in custody for almost 3 years and 8 months, I am inclined to request the trial Court to record the evidence of the child witness expeditiously in terms of mandate of section 35(1) of the Protection of Children from Sexual Offences Act, 2012, preferably, within

3 months from the date when this order is placed before it for its consideration.

5. Liberty to apply for bail after the evidence of the child witness is recorded or after 3 months whichever is earlier.

6. The bail application is disposed of as withdrawn.

7. I appreciate the valuable assistance rendered by Ms. Payal Vardhan, learned Advocate, who appeared on behalf of the victim in this proceeding. The fees/honorarium is quantified at Rs.5,000/- payable by the legal services authority.

(M. S. KARNIK, J.)