

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

**INTERIM APPLICATION NO.921 OF 2025
IN
CRIMINAL APPEAL [STAMP] NO.5114 OF 2025**

Chandrakant Sadashiv SagvekarApplicant
Versus
The State of Maharashtra
and another Respondents

Ms. Leena Patil, Advocate for the Applicant.
Ms. Ranjana D. Humane, APP for the Respondent No.1-State.
Mr. Sushan Mhatre, Advocate for the Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 14th AUGUST, 2025

P.C. :

1. This is an Application for bail pending Appeal.
2. The Applicant was convicted by the learned Special Judge, Mangaon, District-Raigad in Special Atrocity Case No.1/2017 vide his judgment and order dated 2.9.2023. The Applicant was convicted for commission of the offence punishable under Section 3(1)(w)(ii) of the Scheduled Caste and Scheduled Tribe (Prevention of

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Atrocities) Act, 1989. He was sentenced to suffer RI for four years and to pay a fine of Rs.10,000/- and in default of payment of fine to undergo SI for one month. He was convicted for commission of the offence under Section 354-A(1)(i) & (ii) of IPC and was sentenced to suffer RI for three years and to pay a fine of Rs.10,000/- and in default of payment of fine to undergo SI for one month. He was convicted for commission of the offence punishable under Section 506 of IPC and was sentenced to suffer RI for two years and to pay a fine of Rs.10,000/- and in default of payment of fine to undergo SI for one month. He was further convicted under Section 352 of IPC and was sentenced to suffer RI for three months and to pay a fine of Rs.500/- and in default of payment of fine to undergo SI for five days. The substantive sentences were directed to run concurrently. He was given set off under Section 428 of Cr.P.C..

3. Heard Ms. Leena Patil, learned counsel for the Applicant, Ms. Ranjana Humane, learned APP for the

Respondent No.1-State and Mr. Sushan Mhatre, learned counsel for the Respondent No.2.

4. The prosecution case is that PW-1 was the victim in this case. She is Respondent No.2 in the Appeal and the Application. She knew the Applicant. The Applicant was residing in the same village as that of PW-1. The incident occurred in the month of Diwali. The victim (PW-1) was going to a grocery shop with her young son. The Applicant saw her walking on the road. He approached her and offered to pay money. He asked her to come to forest. He even showed her money. He stopped her and embraced her. She pushed him and went away. She then told the incident to her husband and parents. After that, the FIR was lodged and the investigation was carried out. Subsequently she also told the police that she belonged to 'Katkari' caste. The investigation was carried out. The charge-sheet was filed and the Applicant faced the trial.

5. Learned counsel for the Applicant submitted that he was on bail during pendency of the trial, but, he was

taken in custody after his conviction on 2.9.2023. Since then he is in custody. Therefore, he has almost completed two years out of four years of his sentence.

6. Learned counsel for the Applicant submitted that it was a public road and, therefore, somebody from the village could have seen this incident. It is not possible that the Applicant could have committed this offence in the village on a road used by many villagers.

7. Learned counsel submitted that none from the victim's family, including her parents, was examined to support her case. Only her husband was examined, but, he was not an eye witness.

8. Learned APP as well as learned counsel for the Respondent No.2 submitted that there is no reason to disbelieve the version of PW-1. The Applicant committed this offence when there was no one around and in a small village the occurrence of that incident was quite possible. Both of them invited my attention to the discussion in the judgment

that the Applicant was similarly convicted in the past. Relying on her evidence, both of them opposed grant of bail to the Applicant.

9. I have considered these submissions. Learned counsel for the Applicant submitted that the Aadhaar card of the Applicant shows that he is 81 years of age though in the judgment his age is shown as '70 years'. In any case it is not disputed that the Applicant is above 70 years of age. A copy of the Aadhaar card of the Applicant is taken on record and marked 'X' for identification.

10. The Applicant was on bail during trial. After his conviction, he is in jail for almost two years out of four years of sentence. The Appeal is not likely to be decided during the balance period of his sentence i.e. two years.

11. Considering all these aspects, I am inclined to grant bail to the Applicant pending his Appeal. Hence, the following order :

:: O R D E R ::

- i. During pendency and final disposal of the Applicant's Criminal Appeal (Stamp) No.5114/2025, the Applicant is directed to be released on bail on his executing a PR bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only).
- ii. Interim Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)