



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(BA) NO. 977 OF 2025

Hemant Vithalrao Chandekar Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Dhruv Sirpurkar, counsel for the applicant.
Mr.C.A.Lokhande, APP for the State.
Ms. Payal Kaware, appointed counsel for the non-applicant No.2.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 16/10/2025

1. The applicant is arrested in Crime No.287 of 2025 registered with Khadan Police Station, Akola for the offences punishable under Sections 74 and 75 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8,9(f) and (m) r/w Section 10 of the Prevention of Children From Sexual Offences Act, 2012 (POCSO).

2. It is the case of the prosecution that on 30.03.2025, one Harshali Gajbhiye, who is working as a Child Helpline Worker, has lodged a report to the effect that she has received a phone call on 18.03.2025 from the Director of the Dnyandarpan English School informing that the teacher working in Maa Renuka Marathi Prathamik

Shala, Akola is inappropriately touching the girl students studying therein. The informant thereafter visited the school to find out the correctness of the information received on phone call. During the course of her visit, the complainant met with as many as 10 minor girl students. The said girl students have informed the complainant that the applicant was in charge of the school while the lady teachers have gone for training. The applicant has taken the undue advantage of the absence of the lady teachers in the school from 05.03.2025 and was inappropriately touching the girl students. The Principal of the said school has prohibited the applicant from entering the school with effect from 08.03.2025. The informant has stated that the parents of the victim girl students were not ready to lodge a complaint with Child Welfare Committee, Akola. The informant thereafter conveyed the seriousness of the matter to the President of the Child Welfare Committee, and thereafter the complaint was lodged and the applicant was arrested.

3. The learned counsel for the applicant has stated that the incident took place on 05.03.2025. Some of the students says it happened on 06.03.2025. There is inconsistency of date of incident. The meeting was called on 08.03.2025 and the applicant was directed not to attend the school. On 12.03.2025 Director was informed. On 18.03.2025, the Director informed to the Child helpline

operated by the First Informant and thereafter the first informant Harshali met with applicant. There is huge delay. The Management was behind this applicant and many show cause notices were issued to him. To get rid of this applicant these kind of allegations are made against him. The applicant is in jail since 31.03.2025. The allegations are about touching inappropriately. From the statement, it does not reflect that there was any sexual intention.

4. The learned counsel for the applicant has also pointed out that as the offence is registered on 05.03.2025 or 06.03.2025 and till 18.03.2025, no action was taken, Section 19 and 21 of the POCSO Act, 2012 will attract against the Director and the persons who were responsible for delay in lodging the said First Information report.

5. The learned APP opposed the application stating that it was the summer camp and the applicant was dance teacher and he touched the girls inappropriately. The learned counsel for the victim has stated that the allegations are made by many girl students. The applicant used to touch the girls inappropriately and therefore, it is not proper to release the applicant on bail.

6. Heard the learned counsel appearing for the applicant, the learned APP and the learned counsel

appearing for the victim. On perusal of record, it appears that since 2024, the Management has issued show cause notices. On perusal of notices, it appears that there is no any allegation about his misbehaviour. From the allegations made by girl students, it reveals that he had not touched any part to infer sexual intention. Considering earlier show cause notices, there is every possibility of lodging of this complaint. Hence, the case is made out to release the applicant on bail. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Hemant Vithalrao Chandekar be released on bail in Crime No. 287 of 2025 registered with Khadan Police Station, Akola for the offences punishable under Sections 74 and 75 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8,9(f) and (m) r/w Section 10 of the Prevention of Children From Sexual Offences Act, 2012 on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

7. The Criminal Application stands **disposed of** accordingly.

8. Pending application/s if any, is/are stand/s disposed of.

9. Fees of the appointed counsel be paid as per rules.

JUDGE