



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

CRIMINAL APPLICATION (ABA) NO. 824/2025

Satish s/o. Shankar Sapkal Vs. State of Maharashtra And Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. A. Mohta, Advocate for the Applicant.
Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.
Ms Deepali Patil Shahare, Advocate (Appointed) for Non-applicant
No.2.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 17/12/2025.

. Heard.

2. The applicant has apprehension of arrest in Crime No.528/2025 registered at Police Station, Parwa, Dist. Yavatmal for the offence punishable under Sections 74 of Bharatiya Nyaya Sanhita, 2023 and section 8 and 12 and latter added section 21(2) of Protection of Children from Sexual Offences Act, 2012 (for short POCSO).

3. The allegations made are that the accused No.1, who is the PT teacher has touched the girl students inappropriately. It was informed to this applicant, who is the Principal of the School, but he has not taken any action. One Ingale madam had taken the video when the accused No.1 touched the girls inappropriately and, thereafter, the FIR was registered. The offence under sections 19 and 21 of the POCSO Act is registered against this applicant along with the offence, which is registered against accused No.1.

4. The learned Counsel for the applicant has stated that as per Section 21 of the POCSO Act offence under Section 19 is punishable with imprisonment of 6 months. It is not specifically mentioned whether the offence under Section 19 is bailable. As per Section 31 the Code of Criminal Procedure is applicable and as the punishment is up to 6 months, it is bailable offence. The learned Counsel for the applicant has informed that the teacher was suspended after receiving the information. There is a delay in reporting the matter. As the offence is bailable, prayed to protect him by granting ad-interim anticipatory bail.

5. The learned APP has opposed the application stating that the offence is of serious nature. Though the information was received by this applicant, he has not taken any action. As per Section 19 of the POCSO Act, it is mandatory to report the incident, but the applicant has not taken any action. He has pointed out one statement of the student, wherein it is stated by the student that they informed the Headmaster that the accused asked them to run by wearing inner and he has not taken any action. Therefore, the custody of this applicant is necessary. Hence, prayed to reject the application.

6. The learned Counsel for the non-applicant No.2 objected the application stating that though the girls have informed about the sexual assault, the

applicant has not taken any action. Hence, prayed to reject the application.

7. Heard both the sides and perused the record.

8. Offence under Section 19 of the POCSO Act is registered against this applicant as he has not immediately informed about the incident though he was aware about it. By objecting the application, learned Counsel for the non-applicant No.2 has stated about the act of the accused Dipak Pise. The applicant is attending the Police Station regularly. The learned A.P.P. conceded that the applicant is attending the Police Station. Considering the allegations made against this applicant, the custodial interrogation is not required. Hence, the application is allowed.

9. The interim protection granted on 07.11.2025 is confirmed on the same terms and conditions except a modification in the condition No.[iv] that the applicant shall attend the Police Station as and when required by the Investigating Officer. Rest of the conditions are kept as it is.

10. The application stands disposed of accordingly.

11. Fees of the appointed Counsel for the Non-applicant No.2 be quantified as per Rules.

(MRS. VRUSHALI V. JOSHI, J.)