

VRJ

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

**INTERIM APPLICATION NO.3599 OF 2025
IN
CRIMINAL APPEAL NO.944 OF 2025**

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Pradeep Vasant Hegade	... Applicant
V/s.	
The State of Maharashtra & Anr.	... Respondents

Mr. Kunal Vidyadhar Patil for the applicant.

Mr. Pankaj P. Deokar, APP for the State.

Ms. Sujata B. Lohar for respondent No.2 (appointed through Legal Aid).

Mr. Sangram Patil, Head Constable, Kagal Police Station is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 11, 2026

P.C.:

1. The applicant has preferred the present Interim Application seeking suspension of sentence and bail in connection with Crime Register No. 44 of 2017 registered with Kagal Police Station, Kolhapur, for offences punishable under Sections 363, 366A, 376 and 354 read with Section 34 of the Indian Penal Code, 1860, and Sections 6 and 12 of the Protection of Children from Sexual Offences Act, 2012. The applicant is convicted by the Sessions

Court, Kolhapur, by judgment and order dated 30th October 2025, and is sentenced to undergo rigorous imprisonment for 20 years and to pay a fine of ₹1,000/-, and in default, to suffer simple imprisonment for three months.

2. Learned counsel for the applicant submits that although the incident is alleged to have occurred when the victim was about 13 years of age, the relationship between the applicant and the victim is stated to have been love affair. It is submitted that while the victim was pursuing her school education, the applicant used to meet her. During the said period, the applicant and the victim are alleged to have had physical relations on two occasions. Learned counsel for the applicant has produced on record letters written by the victim to show that the victim was having a love affair with the accused and that they had relations out of the said attraction. He submits that during the course of trial, the applicant was on bail and did not trouble the victim nor attempt to contact her during that period.

3. It is further submitted that now, after the applicant has been convicted, learned counsel for the respondent has placed on record a letter issued by the mother of the victim to her advocate. In the

said letter, the mother of the victim stated that her daughter is pursuing her Chartered Accountancy course. She has also stated that if, in future, her daughter faces any kind of obstruction or harassment in her education or in her further course of life, the present accused shall be treated as the first suspect. At present she is fully concentrating on her career, and as she has also attained marriageable age, the family is thinking about her marriage. Learned counsel for the applicant submits that from the contents of letter it seems that the mother has expressed her no objection to suspension of the sentence and she is concerned about safety of her daughter.

4. Learned APP opposed the application and submitted that, at the time of the incident, the victim was 13 years of age and that the consent of a minor is immaterial in the eyes of law. It is submitted that the applicant has been sentenced to rigorous imprisonment for 20 years for having committed the offence and, therefore, the prayer for suspension of sentence and grant of bail deserves to be rejected.

5. Heard learned counsel for respective parties.

6. Having heard the learned advocates for the respective parties

and upon perusal of the letters written by the victim, it appears that though she was of tender age, she was having an affair with the applicant and had instigated him to maintain relations despite being a minor. During the trial the accused was on bail. Considering also the letter written by the mother of the victim, who has expressed no objection to suspension of the sentence, the sentence imposed upon the applicant is suspended.

7. Hence, following order is passed:

- i) The interim application is allowed;
- ii) During the pendency of the appeal, the applicant – Pradeep Vasant Hegade is directed to be released on regular bail in connection with Crime Register No. 44 of 2017 registered with Kagal Police Station, Kolhapur, for offences punishable under Sections 363, 366A, 376 and 354 read with Section 34 of the Indian Penal Code, 1860, and Sections 6 and 12 of the Protection of Children from Sexual Offences Act, 2012, upon furnishing a Personal Recognizance Bond in the sum of ₹25,000/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall not, in any manner, contact the victim or her family members, directly or indirectly.
 - b) The applicant shall not enter the locality where the victim and her family resides.
 - c) The applicant shall not enter the jurisdiction of Hupari and Kolhapur.
 - d) The applicant shall not commit any offence during the pendency of appeal, failing which his bail is liable to be cancelled.
8. The interim application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)