

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 37 OF 2025  
(FOR LEAVE TO APPEAL (STATE))

The State of Maharashtra ...Appellant  
Versus  
Vijay Baban Chavan & Anr. ...Respondents

Ms.Supriya Kak, A.P.P for the Appellant-State.

Mr. Onkar Chaudhari for the Respondent No.1.

**CORAM : SARANG V. KOTWAL &  
SANDESH D. PATIL, JJ.**  
**DATE : 22<sup>nd</sup> APRIL, 2026**

**P.C. :**

1. Heard learned APP.
2. Learned Counsel for the respondent No.1 is present.
3. We have perused the evidence annexed to the application as well as the impugned Judgment and Order.

4. Arguable questions are raised and they require consideration. Hence, the following order :

(i) Leave granted to prefer appeal against acquittal in respect of the Judgment and Order dated 18<sup>th</sup> March, 2025 passed by the learned Additional Sessions Judge under POCSO Act, Pune in Special Case No. 391 of 2020.

(ii) Appeal is admitted.

(iii) Call Record and Proceedings with paper book.

(iv) Action under Section 431 of BNSS be taken by the Trial Court to its satisfaction to ensure the availability of the respondent No.1 during pendency of the appeal.

(v) The respondent No.2 is present in the Court. She is seeking assistance of a Legal Aid Counsel. Therefore, the Legal Services Authority of this Court is requested to

appoint a suitable Advocate to represent the respondent No2. The appointed Advocate shall be provided with all the papers by the Registry.

5. Criminal Application is accordingly disposed of.

**SANDESH D. PATIL, J.**

**SARANG V. KOTWAL, J.**