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IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PUNE
AT PUNE

[Before Special Judge & Additional Sessions Judge **V. R.Kachare**]

FORM NO. XXXII
[Title page of Judgment]

PART 'A'
[Para 44(i) of Chapter VI of Criminal Manual]

Special (Child Prot.) Case No.419/2020

Exh.No. 33

[CNR No. : MHPU010074662020]

Crime No. 77/2020

Chinchwad Police Station, Pimpri Chinchwad, Pune.

Complainant	:-	The State of Maharashtra Through, Police Station Officer, Chinchwad Police Station, Pimpri Chinchwad, Pune.
Represented by	:-	Mr. Javed Khan, Learned Spl.PP for the State.
Accused	:-	Laxmikant Mahadeo Sakpal Age- 31 Yrs, Occ- Service R/at- Vishrantwadi, Pratiknagar, Maruti Mahal Building, Flat No. 13, Pune

Represented by :- **Mr. R.U. Pawar**
Learned advocate for the Accused.

PART- 'B'

[Para 44(ii) of Chapter VI of Criminal Manual]

Date of offence	:-	12/03/2020
Date of FIR	:-	13/03/2020
Date of charge-sheet	:-	15/06/2020
Date of framing charges	:-	05/03/2022
Date of commencement of evidence	:-	30/07/2022
Date on which judgment is reserved	:-	09/06/2023
Date of Judgment	:-	21/07/2023
Date of sentencing, if any	:-	Acquitted

Accused Details

Rank of the Accused	:-	1
Name of the accused	:-	Laxmikant Mahadeo Sakpal
Date of arrest	:-	13/03/2020
Date of release on bail	:-	23/03/2020
Offences charged with under sections	:-	354, 354-A of IPC & 12 of POCSO Act
Whether acquitted or convicted	:-	Convicted

Sentence imposed :- R/I for one year and to pay fine of Rs.2,000/- I/d of payment of fine, to suffer SI for 15 days for the offence p/u/s 12 of the POCSO Act.

Period of detention undergone during the trial for purpose of Section 428 of Cr.P.C. :- 13/03/2020 to 22/03/2020

PART- 'C'

[Para 44(iii) of Chapter VI of Criminal Manual]

List of Prosecution / Defence / Court witnesses

[A] Prosecution Witness :-

<u>Rank</u>	<u>Witness Name</u>	<u>Exh.No.</u>	<u>Nature of witness</u>
1	Mother of Victim girl 'A'	6	Informant
2	Jyoti Shrikant Jawale	12	Witness
3	Victim girl	13	Victim
4	Imran Mohammad Shaikh	16	Witness
5	Vilas Pandharinath Kasbe	17	Panch witness
6	Rohini Tukaram Shewale	18	Investigating Officer
7	Nandkumar Prakash Kadam	23	Investigating officer
8	Santosh Pandharinath Ghante	35	Witness

[B] Defence Witness, if any :-

<u>Rank</u>	<u>Witness Name</u>	<u>Exh.No.</u>	<u>Nature of witness</u>
—	—	—	—

[C] Court Witness, if any :-

<u>Rank</u>	<u>Witness Name</u>	<u>Exh.No.</u>	<u>Nature of witness</u>
—	—	—	—

List of Prosecution / Defence / Court Exhibits

[A] Prosecution Exhibits :-

<u>Sr.No.</u>	<u>Description</u>	<u>Exhibit Number</u>
1.	FIR	Exh.7
2.	Statement recorded under Section 164 of Code of Criminal Procedure of vicim	Exh.14
3.	Letter dated 13/03/2020 for recording station diary of crime by API Rohini Shewale	Exh.19
4.	Printed FIR	Exh.20
5.	Personal Search Panchanama	Exh.21
6.	Arrest Panchanama	Exh.22
7.	Spot Panchanama	Exh.24
8.	Chinchwad Police Station, Night Duty Register dated 12/03/2020	Exh.25

Documents admitted under Section 294 of Cr.P.C. :-

<u>Sr.No.</u>	<u>Description</u>	<u>Exhibit Number</u>
1.	Birth certificate of victim	Exh.27

[B] Defence Exhibits :-

<u>Sr.No.</u>	<u>Description</u>	<u>Exhibit Number</u>
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[C] Court Exhibits :-

<u>Sr.No.</u>	<u>Description</u>	<u>Exhibit Number</u>
—	—	—

[D] Material Objects :-

<u>Sr.No.</u>	<u>Description</u>	<u>Exhibit Number</u>
—	—	—

J U D G M E N T

(Delivered on : 21st day of July, 2023)

The accused is prosecuted for the offences punishable under Sections 354, 354-A of IPC & Section 12 of The Protection of Children from Sexual Offences Act, 2012 (Hereinafter referred to as 'IPC' and 'POCSO Act' for the sake of brevity) in connection with the Crime No.77/2020, registered with Chinchwad Police Station, Pimpri Chinchwad, Pune.

2. The names of victim girl and her family members are not mentioned in this Judgment to maintain confidentiality about their identities as per Section 33(7) of the POCSO Act.

3. **Facts of the prosecution case in brief are as under :**

The informant is residing at Sukrut Apartment, Flat No.2, Sudarshannagar, Near Lokmanya Hospital, Chinchwad, Pune. There are various buildings in the society and all the children residing in society used to play in the evening on the road in front of the society. The complaint is lodged on 12/03/2020. Prior to 15 to 20 days one heightened person used to roam within the vicinity of the society at around 06.30 p.m. to 07.00 p.m. and after noticing children, playing there, he used to go on one side and stop there and remove zip of his pant and take out his penis and make gestures and signs to call the children towards him and when anyone tried caught him, he used to left the place on his bike. This incident was occurred twice prior to main incident.

4. On 12/03/2020 at about 09.15 p.m. the informant and other ladies staying in the society namely Swapnali Sandip Ratnaparkhi, Jyoti Shrikant Jawale, Godbole Kaku, Sharma Bhabhi, Kirti Patil, Roshan Shaikh Bhabhi, Mihir Shivbhakt, Deodhare Kaku and Mehta Babhi, were below the building of the society and daughter of the informant along-with other children were playing. At that time the said person was standing in front of Renuka Sai Building and he removed the zip of his

pant and take out his pennis and make gestures and signs to call the children. At that time all these ladies tried to caught him. He attempted to fled away on his bike. He put his bike on the person of Jyoti Jawale and other ladies tried to caught him but he was not listening, that time one Imran Shaikh who was staying in that society returned from his work and after noticing scuffle, he went there and he caught hold to accused and when he asked why he had been there. He gave evasive answers. Imran Shaikh dialed number 100 and called police. Police came there and took accused to the police station. The informant and other ladies from the society had also went to the police station. The accused told his name before the police as Laxmikant Mahadeo Sakpal. The informant lodged the complaint about this incident whereupon Crime No.77/2020 came to be registered with Chinchwad Police Station, Pimpri Chinwad, Pune.

5. Lady Asst. Police Inspector Rohini Tukaram Shewale investigated the crime. During the investigation, she recorded the complaint given by the mother of victim girl as per her say. She gave report to register the crime. She recorded statement of victim girl as per her say. She obtained birth certificate and aadhar card of victim girl and filed it on record. She prepared personal search panchanama and arrested the accused. She filled up the arrest form of the accused. Further investigation was handed to PSI Kadam. He prepared spot panchanama and filed it on record. He got examined the accused. He got certified copy of duty register of police station and filed the same on

record. He got recorded statement of victim girl under Section 164 (5) of Code of Criminal Procedure. After completion of the investigation, the charge-sheet came to be filed against the accused.

6. The learned Predecessor of this Court framed charge at Exh.3 against the accused under Sections 354, 354-A of IPC & Section 12 of POCSO Act. Separate plea of accused came to be recorded vide Exh.4. The accused pleaded not guilty and claimed to be tried; therefore, the trial proceeded against him.

7. The incriminating piece of evidence made over to the accused vide statement recorded under Section 313 of Cr.P.C. at **Exh.31**. The accused denied all the allegations levelled against him. The defence of the accused is of total denial and false implication. The accused did not testify himself nor adduced evidence of any witness in his defence.

8. Heard learned APP Mr. Javed Khan for the State/Prosecution and learned advocate Mr. R.U. Pawar for the accused in detail.

9. Perused the material placed on record. Following points arise for determination of this Court and findings to them are given for the reasons discussed as under :

POINTS

FINDINGS

1. Does Prosecution prove that, accused on 12/03/2020 at about 09.45 p.m. in

front of Renuka Sai Building and prior to it 15 to 20 days assault or use criminal force to the complainant intending to outrage or knowing it to be likely that accused were thereby outrage her modesty and thereby committed an offence punishable under Section 354 of Indian Penal Code?

.... In Negative.

2. Does prosecution further prove that, on the above date, time and place shown your private part (pennis) by opening zip of pant to the complainant and other women and made sexually coloured remarks and thereby committed an offence punishable under Section 354-A of Indian Penal Code?

...In affirmative

3. Does prosecution further prove that, the accused on above date, time and place exhibits his private part (pennis) with the intention that such part of body shall be seen by the child who were playing cricket and thereby committed an offence punishable under Section 12 of Protection of Children from Sexual Offences (POCSO) Act?

...In affirmative

4. What order ?

.... As per final order.

REASONS

AS TO POINTS NO. 1 TO 3 :

10. All these points are interconnected with each other; therefore, taken for discussion under common caption.

11. Before going to discuss the points it is for the prosecution to prove that victim was child at the time of alleged incident under Section 2 (d) of the Protection of Children from Sexual Offences Act, 2012.

12. The prosecution has examined the victim girl as PW3 wherein she stated her date of birth is 09/09/2010 and at the time of alleged incident she was studying in 4th std. Further the prosecution had examined the mother of victim girl as PW1. She stated the birth date of victim girl is 09/09/2010. However the defence has not challenged the birth date of the victim girl. Apart from it the prosecution has produced on record birth certificate of the victim girl vide **Exh.27**. This birth certificate is admitted by the defence.

13. The birth certificate **Exh.27** discloses the date of birth of victim is 09/09/2010. Further both the victim girl (PW3) and her mother (PW1) have categorically stated the same date as birth date of the victim girl. The alleged incident has occurred on 12/03/2020. Considering the date of birth of the victim and date of alleged incident, the prosecution has proved that on the date of alleged incident the victim was around 9 years 9 months 3 days. Thus it has been proved by the prosecution that victim was child at the time of alleged incident as defined under Section 2 (d) of POCSO Act and even on the date of her evidence she was 13 years old.

14. In order to establish the guilt of the accused the prosecution has examined in all eight witnesses. The prime witness of this case is victim girl (PW3), her mother (PW1), Jyoti Jawale (PW2) and Imran Shaikh (PW4). All these witnesses are eye witnesses who were at the spot when the incident took place. Therefore their evidence is material one and needs close scrutiny.

15. I have gone through the evidence of victim's mother (PW1). She stated that the victim girl is her daughter. In front of their society there is bench kept for sitting. Whenever the children staying in society, they used to play on the road. Their parents used to sit on those bench. On 12/03/2020, at about 09.30 p.m. she and her friends Jyoti Jawale and others were sitting on the bench and children were playing on the road. The accused came in front of Renuka Sai Building which is in front building where victim girl is staying. The accused removed the zip and shown his pennis to the children. Therefore the informant along-with her friends, who were there went there to ask him, that time accused gave evasive reply and tried to fled away. When Jyoti went across her vehicle, accused put his vehicle on her person, therefore she fallen down. At that time Imran Shaikh (PW4) came from the other side on his vehicle, he stopped his vehicle and he came there and caught to the accused. Then Imran Shaikh made phone call to the police and police came there and took the accused at the police station. The

accused told his name as Laxmikant Mahadeo Sakpal to the police. The informant lodged the complaint below **Exh.7** to the police station against the accused.

16. From the above chief-examination of PW1, it is clear that she has reproduced the complaint as it is. She is cross-examined by the defence at length. In cross-examination she stated that she had not seen the number as well as make of the vehicle of the accused. Further she admitted that the incident happening 15 to 20 days prior to the incident was not witnessed by her but only because of this evidence, her positive version cannot be discarded. Here the prosecution has come with the case that since 15 to 20 days the accused was behaving in indecent manner. It is not case of the prosecution that PW1 has witnessed all those incident. Therefore merely because of these facts came in the cross-examination, it cannot be said that she is not reliable witness.

17. On the contrary, PW1 had identified to the accused before the court being person who acted in indecent manner with victim girl and other children. Further PW1 has specifically denied suggestion whatever put by the defence. The defence has put their case on record that person who acted indecent manner was fled away and accused was proceeding from the road and they caught to the accused and the society people beaten him rudely and to avoid the complaint against the society people,

she filed false complaint against the accused. This story has been specifically denied by the PW1. From defence case it can be gathered that the accused was at the spot when the incident took place. The defence has nowhere denied that accused was not there. Further no explanation has been given by the accused why he was there, where he was proceeding at the relevant time. No doubt that the prosecution has to establish its case independently but defence story regarding the presence of the accused at the spot that he was proceeding by road is specifically denied by the informant PW1. Thus I found not a single statement in the cross-examination whereby the evidence of PW1 is to be discarded.

18. The prosecution has examined Jyoti Jawale (PW2) who alleged to be present at the time of incident at the spot. In chief examination, she stated that on 12/03/2020 she had been at the gate of society and were chit-chatting and children at the society were playing at that place. The accused came there by bike and was making indecent gestures, that's why children told this fact to the ladies there, that the accused opened the zip of his pant and show his pennis to the children and made indecent gestures. She further stated that they tried to caught hold him but he tried to ran away and Imran Shaikh came there and caught hold to the accused. He called the police and police took him at the police station. She identified the accused present before the court being person who has committed the act.

According to the defence evidence of this witness is hear say evidence.

19. In cross examination she admitted that the person making indecent gestures had left the spot, however that sentence cannot be read in isolation if it read. Further in cross-examination she voluntarily stated that the accused left the spot but again returned to the spot and children shown him. Therefore merely on the basis of that cross-examination, it cannot be said that this witness is stating lie. No doubt that in cross-examination she has stated that time 09.00 p.m. is not mentioned in her statement. According to her 09.00 p.m. to 09.15 p.m. incident was occurred. Considering the difference in time stated by PW2 cannot be said that this witness was not present there. It is not case that incident was happened in the night and she was stating that it was happened in the afternoon or morning, therefore because of minor discrepancies it cannot be said that this is not trustworthy witness. On the contrary her evidence is corroborating to the evidence of informant.

20. The main and star witness in this case is the victim girl (PW3). On going through her evidence she has categorically stated that since 15 days prior to the incident, one uncle used to open zip of his pant and showing his pennis to the children and they used to return at home and uncle was doing repeatedly the same act. Therefore she told this fact to her mother and other

children also told to their parents. She further deposed that on 12/03/2020 after taking dinner she and other children were playing in front of their building, at that time that uncle was standing near Renuka Sai Building and the uncle done the same act. He removed zip of his pant and shown his pennis and made indecent gestures to the children. She immediately told to her mother. Then her mother and other persons caught that uncle when he was running away from the spot and took to the police.

21. Victim girl's (PW3) statement was recorded under Section 164 of Code of Criminal Procedure which is at **Exh.14**. I perused Exh.14. It was recorded on 09/06/2020 wherein she stated that she along-with her friends were playing in their society and while playing one uncle used to come there and stairing them and used to show his pennies to them and she had told the said fact to her mother and her mother caught that uncle while committing the same act. This witness has stated the same fact before the Magistrate when her statement under Section 164 of Cr.P.C. was recorded. The victim girl further stated in her chief-examination that she is able to identify that uncle if shown to her and she identified the accused before the court as said uncle.

22. PW3 is cross examined by the defence. The defence has tried to put some questions regarding her knowledge about the whats-app and face books and use of mobile. But that is

immaterial. No doubt in cross-examination she stated that whether her statement recorded by police was read over to her or not. She do not remember whether she signed the statement or not but these are not material facts which can shaken her evidence in chief-examination. Further question arose what is the reason for this witness i.e. who is the child to state anything against the accused. Considering the entire evidence of victim girl i.e. chief and cross-examination, I do not found any statement which is harmful to the prosecution case or creates doubt about the prosecution case. On the contrary her evidence is corroborating to the evidence of PW1 and PW2.

23. The prosecution has further examined Imran Shaikh (PW4). He is also material witness in this case. Because according to the prosecution case when the ladies were trying to caught the accused, he came from his vehicle. He parked his vehicle and caught to the accused. On going through the chief examination PW4 has categorically stated that on the date and time of incident i.e. on 12/03/2020 at about 09.50 p.m. he returned from his work and reached near Sukrut Apartment. At about 09.50 he noticed that various ladies were gathered there. Therefore he parked his vehicle in the parking. The ladies were shouting as "पकड़ा पकड़ा". Therefore he rushed there. The ladies had caught one person who was trying to fled away on his two wheeler vehicle. Therefore, he switched of engine of his vehicle and caught him and then he came to know about the incident

from ladies. He further stated that he made call to number 100 and called the police. Police came there and on inquiry with persons he told his name as Laxmikant Mahadeo Sakpal. The police took him at police station. This witness has also identified to the accused being a person caught at the spot. In cross-examination the defence tried to bring on record that this witness working time is upto 8.30 p.m. and needs 20 to 25 minutes to reach at home. Even if it is considered, it is not the circumstances whether his presence can be doubted. The prosecution has tried to bring on record that there are improvements in his chief-examination. But on going through the statement recorded by the police, it is clear that the improvements are not such a nature from where his trustworthiness can be doubted. On the contrary his evidence is supported and corroborating to the evidence of PW1, PW2 and PW3.

24. According to the prosecution case, when made phone call by dialing 100, police came there. To corroborate the same the prosecution has examined Santosh Pandharinath Ghante (PW8) who is police Naik. I have gone through his evidence. In chief-examination he stated that on 12/03/2020 he was attached at Chinchwad Police Station. He was on Marshall duty and another police Constable Nagnath Kamble was along-with him and they were belonging with Shridharnagar area. They received call from control room intimating that the police

help is required, One person is doing obscene act at Sukrut Apartment and there is mob so you to reach there. Accordingly they reached there. One person was there and people gathered there told them that person was doing indecent gestures, therefore they asked his name and he told his name as Laxmikant Mahadeo Sakpal and they took him in the custody and brought him at Chinchwad Police Station and people gathered there also went to the police station and filed police complaint against the accused. This witness has also identified to the accused as the same person. From this evidence it is clear that the accused was caught by the police at the spot and at that time all the above witnesses were present there. The presence of the accused at the spot is proved.

25. The defence has also put their case to PW8 that the society people had severely beaten to the accused and with apprehension in the mind of society people that the accused will file case against them, they have lodged false case. PW8 denied the case of defence. No doubt that in cross-examination there are some omissions brought on record but that things are not sufficient or affect positive version stated by PW8 in his chief examination. Further it has come on the record from his cross-examination that as per **Exh.25** that API Kadam was not present and API Shewale was present on the duty on 12/03/2020 at night duty. But that fact supports to the prosecution case. API Shewale is examined in this case as PW6. Her evidence needs to be looked into.

26. On going through the evidence of Rohini Tukaram Shewale (PW6) who is Investigating Officer in this matter stated that on 12/03/2020 she was on duty as API. The informant alongwith other persons had been at police station. She recorded the complaint of the informant which is at **Exh.7**. She identified her signature on it. She registered the crime and made report **Exh.19**. Printed FIR is at **Exh.20**. She further deposed that as per say of the victim girl she recorded her statement. She had also stated birth date of the victim girl is 09/09/2010. She deposed that accused had not sustained any injury. She took his personal search and prepared arrest panchanama **Exh.21** and further investigation was handed over to PSI Kadam.

27. I have gone through the cross-examination of API Shewale (PW6), wherein suggestions were given that she had not recorded the statement as per say of informant and victim girl but she denied the same. She further denied that when the accused was brought at the police station, he was rudely beaten. She denied that she had not got medically examined to the accused. She further denied with the defence theory that with apprehension in the mind of society people that the accused will file complaint against society people, they have filed false case. Further she denied that person who was doing indecent act fled away and people wrongly caught to the accused. Considering the over all cross-examination of this witness I found there is nothing to raise doubt on her evidence stated in chief-examination.

28. The prosecution has examined Nandkumar Prakash Kadam, API (PW7). He stated that on receipt of information along-with two panchas, he went at the spot, prepared spot panchanama Exh.24. On 13/3/2020 he got medically examined to the accused, call about the incident was received at the control room and at that time police constable Santosh Ghante and Kamble were on duty. Duty register was produced at Exh.25 which shows that both were on duty. She recorded the statement of victim girl under Section 164 (5) of Code of Criminal Procedure and after getting sufficient evidence lodged charge-sheet against the accused.

29. In cross-examination, this witness admitted that prior to registration of complaint he had been at the spot of incident. 4 to 5 persons alongwith complainant were present at the spot of incident. But this witness have already stated that he received phone call about the incident, therefore obviously police had rushed on the spot prior to the registration of the complaint. He denied that panchanama was prepared at the police station. Further denied that he had not recorded statement of witnesses as per their say. The defence has argued that PW7 was not on duty on the day of incident. But this fact has not put to this witness in cross-examination. Therefore I am not agree with the submission of learned advocate for the accused that witness PW7 was not present at the police station.

30. The prosecution has placed on record panchanama at Exh.24 which is proved through mouth of PW7. No doubt panch witness has not supported to the case, even if it is considered that panchanama is not duly proved, there is no any case brought on record by the defence, that incident were took place were not visible to the children playing there or no any circumstances had brought on record from which it can be said that whatever witnesses are stating was not possible at the spot. On the contrary the defence has come with the case that accused was present at the spot but he was there to search the address.

31. Considering the over all evidence of prosecution witnesses, I hold that the prosecution has proved that the accused had committed sexual harassment upon the victim while she was playing on the road by showing penis by the accused to her and other children and therefore he is guilty for the offence under Section 354-A of IPC and Section 11 punishable under Section 12 of POCSO Act.

32. Charge under Section 354 of the IPC is framed against the accused that he has outraged modesty of the complainant but the prosecution has not brought on record sufficient evidence how he outraged the modesty of the complainant. It is not case of the prosecution that accused shown penis to the complainant. On the contrary the prosecution has come with the case that he removed the zip of

his pant and shown his pennis to the children playing there. Therefore it cannot be said that he accused has committed offence punishable under Section 354 of the Indian Penal Code.

33. In view of the above I answer points under consideration i.e. Point No.1 in the negative and Point No.2 and 3 in the affirmative. Thus in the light of affirmative findings as to Point Nos. 2 and 3 accused is to be convicted for the offence punishable under Section 354-A of the IPC and under Section 12 of the POCSO Act.

34. Before passing sentence it is just and necessary to hear the accused on the point of sentence. Moreover Section 42 of the POCSO Act provides alternate punishment. In the present case the prosecution has proved that the accused has committed offence punishable under Section 354-A of the IPC and also under Section 12 of the POCSO Act. Therefore in view of provision of Section 42 of the POCSO Act, sentence is to be passed against the accused under Section 12 of the POCSO Act as the punishment provided to Section 12 of the POCSO Act is greater in degree than the punishment provided under Section 354-A of the IPC. Thus I take pause to hear the accused on the point of sentence.

35. On the point of sentence I heard accused and his advocate Shri.R.U. Pawar. Heard learned Special APP Shri. Javed

Khan. Accused has submitted that he did nothing. Further he submitted that he is married, having six years old son and old mother at home. He is the only earning member in his family. So lenient view be shown. Learned advocate for the accused submitted that considering the nature of the offence and considering the situation of the accused that he is married, having six years old son and old mother at home, he is the only earning member in the family and will be suffered from starvation, so lenient view be taken while awarding punishment to the accused.

36. Learned APP submitted that considering the nature of the offence, maximum punishment may be awarded.

37. Having heard both the sides and considering the nature of the offence, that the accused had caused sexual harassment and committed the offence under Section 354-A of the Indian Penal Code and under Section 12 read with Section 11 of the POCSO Act, further considering the fact that the accused is married and having small son of six years and his mother of old age, further considering the punishment provided under Section 12 read with Section 11 of POCSO Act, I am of the view that lenient view is to be shown to the accused. Following sentence would meet ends of justice. Hence I answer point under consideration, pass following order :

ORDER

- 1) The accused **Laxmikant Mahadeo Sakpal** is acquitted vide Section 235(1) of the Code of Criminal Procedure, 1973 for the offence punishable under Section 354 of The Indian Penal Code, 1860.
- 2) The accused **Laxmikant Mahadeo Sakpal** is convicted for the offence punishable under Section 12 r/w 11 of The Protection of Children from Sexual Offences Act, 2012 vide Section 235 (2) of the Code of Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for **one year and to pay fine of Rs.2,000/-**. In default of payment of fine, he is sentenced to suffer Simple Imprisonment for 15 days.
- 3) The accused Laxmikant Mahadeo Sakpal is convicted for the offence punishable under Section 354-A of the Indian Penal Code, vide Section 235 (2) of the Code of Criminal Procedure.
- 4) The accused shall surrender his bail bond.
- 5) The period of detention undergone by the accused during investigation, inquiry or trial be set off against the term of imprisonment imposed on him, as per Section 428 of the Code of Criminal Procedure.
- 6) Judgment dictated and pronounced in open Court.
- 7) Copy of the Judgment be provided to the accused free of costs vide Section 363 (1) of the Code of Criminal Procedure.

Pune.

Date :21/07/2023.

[**V. R. Kachare**]

Special Judge (Under POCSO Act) &
Additional Sessions Judge, Pune

CERTIFICATE

I affirm that the contents of this P D. F file Order are same word for word as per original Order.

Name of the Court	:-	Shri. V R. Kachare District Judge- 7 & Additional Sessions Judge, Pune.
Name of the Steno	:-	Mrs. B.J. Khandre Stenographer (Grade-I)
Date of Order	:-	21/07/2023
Order signed by presiding officer on	:-	21/07/2023
Order uploaded on	:-	24/07/2023