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Duration - 04 Y 07M, 27 D

MH50050018042021		IN THE SPECIAL COURT (POCSO), PANDHARPUR Presided over by : Shri. A.S. Salgar. (Special Judge (POCSO)) Date of the Judgment – 20.07.2026. Special (POCSO) Case No. 58/2021. Exh. - 50.	
		FIR No. 628/2021 of Mangalvedha Police Station, Tal. Mangalvedha, Dist. Solapur	
COMPLAINANT	:	State of Maharashtra	
REPRESENTED BY	:	Shri. S. S. Dulange, Learned APP	
ACCUSED	:	1) Pravin Dnyaneshwar Mane. 2) Shrikant Dnyaneshwar Mane. 3) Vilas Sandipan Asbe. 4) Dnyaneshwar Uddhav Mane. 5) Ranjanabai @ Anjana Dnyaneshwar Mane. 6) Chhaya Prakash Tate.	
REPRESENTED BY	:	Adv. Shri. S. S. Lendave.	
Date of Offence		23.09.2021.	
Date of FIR		25.09.2021.	
Date of Charge-sheet		23.11.2021.	
Date of Framing of Charge		03.07.2026.	

Date of commencement of evidence	03.07.2026.
Date on which judgment is reserved	20.07.2026.
Date of the Judgment	20.07.2026.
Date of the Sentencing Order, if any	None.

Accused Details

Rank of the Accused	Name of the accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for purpose of Section 428 Cr.PC.
1	Pravin Dnyaneshwar Mane, Age – 26 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.	30.09.2021.	14.10.2021.	354-A, r.w. IPC, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.	Acquitted	--	--
2	Shrikant Dnyaneshwar Mane, Age – 25 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.	19.11.2021.	19.11.2021.	354-A, r.w. IPC, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.	Acquitted.	--	--
3	Vilas Sandipan Asabe, Age – 34 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.	19.11.2021.	19.11.2021.	354-A, r.w. IPC, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.	Acquitted.	--	--
4	Dnyaneshwar Uddhav Mane, Age – 69 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.	19.11.2021.	19.11.2021.	354-A, r.w. IPC, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.	Acquitted.	--	--
5	Ranjanabai @ Anjana	19.11.2021.	19.11.2021.	354-A, r.w. IPC, u/s 9,	Acquitted.	--	--

	Dnyaneshwar Mane, Age – 67 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.			10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.			
6	Chaya Prakash Tate, Age – 37 years, Occu. Agri., R/o. -Marapur, Tal. Mangalvedha, Dist. Solapur.	30.09.2021.	14.10.2021.	354-A, r.w. IPC, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of POCSO Act.	Acquitted.	--	--

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES

A. Prosecution :

RANK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-1	AAA	30	Informant (Grandfather of complainant.
PW-2	BBB	34	Victim.
PW-3	CCC	35	Maternal uncle of victim.
PW-4	DDD	36	Uncle of victim.

B. Defence Witnesses, if any :

RANK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
	Nil.		

C. Court Witnesses, if any :

RANK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
	Nil.		

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS**A. Prosecution :**

Sr. No.	Exhibit Number	Description
1	48 & 49	Spot panchnama.

B. Defence :

Sr. No.	Exhibit Number Admitted by Defence	Description
1	Nil.	

C. Court Exhibits

Sr. No.	Exhibit Number	Description
1	39	Charge

D. Material Objects :

Sr. No.	Exhibit Number	Description
1		Nil.

JUDGMENT

(Delivered on 20.07.2026)

(In view of directions and guidelines of the Hon'ble Apex Court in Nipun Saxena and another Vs. Union of India and other, (2019) 2 SCC 703, the identification of victim, her relatives, key witnesses and their addresses have been not disclosed in this judgment.)

01. The accused No. 1 to 6 stand prosecuted for the offences punishable under sections 354-A, r.w. 34 of Indian Penal Code, u/s 9, 10 of Prevention of Child Marriage Act, u/s 8, 10, 12, 17 of Protection of Children from Sexual Offences Act.

Brief facts of the prosecution case is as under :

02. The informant resides at village XYZ along with his wife, son and two daughter in law and grandson and granddaughter. His occupation is agriculture. His son namely Sanjay was expired before 10 years. He is maintaining wife as well as children of Sanjay. The victim was aged about 16 years. One Pavan Mane and his father Dnyaneshwar Mane and Vilas Aasbe had come to their house to see victim for marriage proposal. On 15.09.2021 her granddaughter had gone to the house of her maternal aunt at village Marapur for function. On 24.09.2021 the brother of her daughter in law had come to his house and asked to him, where is victim and whether marriage of victim performed. Informant told him that, victim had gone to the house of her maternal aunt. Thereafter informant and one Yogesh went to the house of Poonam Yadav and asked to her where is victim and she disclosed that, the marriage of victim has been performed with Pravin Mane on 23.09.2021. The informant told to them that, age of victim is 16 years and how her marriage was performed. Thereafter they saw the photographs of marriage of victim in the mobile of Yogesh. It was found that, the accused No. 1 to 10 were aware that, the victim was minor and they performed marriage of victim with accused No. 1. Hence, informant lodged report against the accused persons at Mangalvedha Police Station on the ground that, all the accused in collusion with each other performed marriage of victim with accused No. 1 and they were present at the time of marriage and they abeted child marriage of victim with the accused. It was revealed that, the relatives of the victim had gone to

the house at village Marapur in order to bring the victim and at that time victim was sent along with accused No. 1 and 2 and they aided in committing the crime. The accused No. 1 caught hold hand of victim and he said to her to come along with him in house and he wants to sleep with her. The victim refused for the same. When victim and accused No. 1 was sitting in the hall, at that time accused No. 1 caught hold hand of victim and said to her, he wants to keep physical relations with her and thereby outraged her modesty.

03. On the basis of said report Mangalvedha police station registered offence punishable under sections 354-A, r.w. 34 of Indian Penal Code, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of Protection of Children from Sexual Offences Act vide CR No. 628/2021.

04. During the course of investigation, the I.O. has recorded the statements of witnesses and drawn spot panchnama. I.O. seized motorcycle used in the crime. The I.O. also issued letter to Ld. Magistrate, Mangalvedha for recording statements of informant and victim under sec. 164 of Cr.P.C. and also arrested all the accused persons and drawn arrest panchnama. After completion of investigation the I.O. submitted charge sheet against the accused No. 1 to 6 before Special Court and remaining accused are shown as absconding.

05. I framed charge (Exh. 39) against the accused No. 1 to 6 for the offences punishable under Sections 354-A, r.w. 34 of Indian Penal Code, u/s 9, 10 of Prev. of Child Marriage Act, u/s 8, 10, 12, 17 of

Protection of Children from Sexual Offences Act. The contents of charge were read over and explained to the accused No. 1 to 6 in vernacular in Marathi. They have pleaded not guilty and claimed to be tried. Their defence is of total denial and false implication in the case.

06. To prove the guilt of accused persons, the prosecution has examined in all four witnesses, as under -

RANK	NAME	EXH.	NATURE OF EVIDENCE (
PW-1	AAA	30	Informant (Grandfather of complainant.
PW-2	BBB	34	Victim.
PW-3	CCC	35	Maternal uncle of victim.
PW-4	DDD	36	Uncle of victim.

07. Besides this the prosecution relied upon documentary evidence i.e. spot panchnama Exh. 48 and 49. Evidence close pursis is at Exh. 47.

08. The statements of accused Nos. 1 to 6 u/s 313 of CR.P.C. is dispensed with as there is no incriminating evidence against them. They have not adduced any evidence in their favour.

09. After going through the prosecution case and evidence on record, following points arises for my determination and I have recorded my findings against them for the reasons stated below.

Sr. No.	POINTS	FINDINGS
01.	Whether the prosecution proves that all accused, in furtherance of their common intention, on or about from 22/09/2021 to 29/09/2021 in the boundary of mauje Tarapur, Tal.-Purandar, Dist.-Pune, in the house of Bapu Sandipan Asabe and at the home of and in from of the house of Suresh Mahadev Ghadge at Mauje Nimsod, Tal.Khatav, Dist.-Solapur, all accused knowing that, the victim is granddaughter of complaint and she is a minor, and accused no.1 married with victim as a child and victims relative came to Marapur to take her, they assisted in the crime by abduction victim along with accused and accused no. 1 grabbed victims hand and said her "I want to sleep with you in the house, and I want to have sexual relation with you." made physical and advances involving unwelcome and explicit sexual overture and demand or request for sexual favors, and accused have thereby, committed an offence punishable u/s 354-A r/w. 34 of IPC ?	In the negative
02.	Does prosecution prove that on aforesaid period and place accused no.1 being a male adult above 18 yrs. of age, and contracts a child marriage with victim, and thereby, committed an offence punishable u/s 9 of Prohibition of Child Marriage Act, 2006 ?	In the negative
03.	Does prosecution prove that on the aforesaid date, time and place, accused performs, conducts, directs of abets for child marriage with victim and solemnizing a child marriage, and accused have thereby, committed an offence punishable u/s 10 of Prohibition of Child Marriage Act, 2006	In the negative

04. Does prosecution prove that on aforesaid period and place, accused No. 1 touched the victim girl with sexual intent, and involved physical contact and that accused have committed an offence punishable u/s. 8 of the Protection of Children from Sexual Offence Act, 2021 ? **In the negative**
05. Does prosecution prove that on aforesaid period and place, accused in furtherance of their common intention committed aggravated sexual assault with victim, and accused have thereby, committed an offence punishable u/s 10 of the Protection of Children from Sexual Offences Act, 2021 (Pocso) ? **In the negative**
06. Does prosecution prove that on aforesaid period and place, accused sexually harassed the victim child girl and that accused persons have committed an offence u/s.12 of the Protection of Children from Sexual Offences Act, 2012 ? **In the negative**
07. Does prosecution prove that on aforesaid period and place accused persons abets an offence, instigates engages in any conspiracy for the doing of an offence and intentionally aids by any act or illegal omission, the doing of that offence to abetment of an offence, and therefore, committed an offence punishable u/s. 17 of the Protection Children from Sexual Offences Act, 2012 ? **In the negative**
08. What order **As per final Order.**

REASONS

10. Heard learned APP Shri. S. S. Dulange for the prosecution and learned advocate Shri. Lendave for the accused persons, at length.

As to point No. 1 to 7 -

11. All these points are inter connected to each other and hence, they are taken together for discussions.

12. It is the case of prosecution that, accused Nos. 1 to 6 were aware that, granddaughter of informant was minor and they performed marriage of accused No. 1 with victim. When relatives of victim went to village Marapur to bring the victim, at that time the accused No. 1 and 2 sent victim along with accused No. 1 and 2 and they aided in committing the crime. The accused No. 1 caught hold hand of victim and said to her that he wants to keep physical relation with her and thereby outraged modesty of victim. To prove the guilt of accused persons, the prosecution has examined in all four witnesses. The informant PW-1 AAA (Grandfather of victim) is examined at Exh. 30. He deposed that, the victim is his granddaughter. His son was expired. At the time of incident age of victim was 15 years. He does not remember what incident occurred with her. The informant turned hostile. Therefore, the Ld. APP sought permission of Court for conducting cross examination of informant and conducted cross examination. But nothing incriminating was brought on record during his cross examination. The informant PW-1 has not stated any incriminating circumstances against the accused. He

has not supported the prosecution case. Therefore, evidence of informant is not helpful for prosecution.

13. It has come in the evidence of PW-2 BBB i.e. victim that, at the time of incident she was residing with her mother and grandparents, brother and uncle. She was studying in 8th standard. No incident occurred with her. Accused has not done any act with her. She denied that, all accused persons performed her child marriage with accused No. 1. She denied portion mark 'A' of her statement. She stated that, she does not remember contents of her statement recorded under section 164 of Cr.P.C. Thus, the victim also turned hostile. The Ld. APP conducted cross examination of the victim and asked leading questions to her. But nothing was revealed in her cross examination. The victim has not stated any incriminating circumstances against the accused persons. She has not supported prosecution case. Therefore, her evidence is not helpful for prosecution.

14. PW-3 CCC is maternal uncle of victim. He deposed that, victim is his niece. At the time of incident, age of victim was 15 years. He does not remember what incident occurred with the victim. He also denied that, all the accused persons were aware that, victim was minor, in spite of this fact they performed marriage of victim with accused No. 1. He also denied portion mark 'A' of his statement. He stated that, he does not remember contents of his statement recorded under section 164 of Cr.P.C. Thus, PW-3 also turned hostile. The Ld. APP conducted

cross examination of the PW-3 and asked leading questions to him. But nothing was revealed in his cross examination. The PW-3 has not stated any incriminating circumstances against the accused persons. He has not supported prosecution case. Therefore, his evidence is not helpful for prosecution.

15. PW-4 DDD is uncle of victim. He deposed that, victim is his niece. At the time of incident, age of victim was 15 years. He does not remember what incident occurred with the victim. He also denied that, all the accused persons were aware that, victim was minor, in spite of this fact they performed marriage of victim with accused No. 1. He also denied portion mark 'A' of his statement. PW-4 also turned hostile. The Ld. APP conducted cross examination of the PW-4 and asked leading questions to him. But nothing was revealed in his cross examination. The PW-4 has not stated any incriminating circumstances against the accused persons. He has not supported prosecution case. Therefore, his evidence is not helpful for prosecution.

16. In present case, the prosecution has examined only four witnesses. The informant, victim, maternal uncle and uncle of victim turned hostile. The material witnesses examined by prosecution have turned hostile. The prosecution has not examined any other independent witness to prove its case. Moreover prosecution has failed to secure presence of I.O. also to adduce evidence.

17. In present case, none of the prosecution witnesses has stated that, the accused Nos. 1 to 6 were aware that, the victim was minor and they performed marriage of victim with accused No. 1. None of the prosecution witnesses stated that, the accused No. 1 caught hold of hand of victim and said to victim to keep physical relation with him and outraged her modesty. None of the prosecution witnesses stated that, accused Nos. 2 to 6 aided accused No. 1 in committing the crime. The victim herself has denied the incident. The material witnesses are denying the incident. Prosecution has not examined any independent witness. Thus, it can be said that, there is no corroborative evidence on record to prove that, the accused persons performed the child marriage of victim with accused No. 1. There is no evidence to show that, the accused No. 1 caught hold hand of victim and said to victim to keep physical relation with him. There is no evidence to show that, the accused persons outraged modesty of victim.

18. In present case, the prosecution has not proved contents of FIR. The informant himself has denied contents of FIR. Prosecution has not examined PSO who recorded FIR. Non examination of this material witness is fatal to the prosecution case. Therefore, it can be said that, there is no evidence on record to prove that, informant lodged report against the accused persons at Mangalvedha police station.

19. In present case, there is absolutely no evidence on record to show that, the accused persons performed child marriage of victim with

accused No. 1 and accused Nos. 2 to 6 aided the accused No. 1 in committing the crime. There is absolutely no evidence to show that, the accused No. 1 committed sexual assault upon the victim. There is absolutely no evidence on record to show that, the accused No. 1 touched the victim with sexual intention. Prosecution has not laid any evidence to prove that, victim was minor on the date of incident. Prosecution has failed to prove that, the accused persons performed child marriage of victim with accused No. 1. Prosecution has not proved that, accused No. 1 touched the victim and outraged her modesty. Prosecution has utterly failed to prove ingredients of sections 354-A r.w. 34 of Indian Penal Code, u/s 9, 10 of Prevention of Child Marriage Act, u/s 8, 10, 12, 17 of Protection of Children from Sexual Offences Act. Hence, I answer point Nos. 1 to 7 in the negative.

20. In the light of aforesaid discussion, it is concluded that the prosecution has not brought cogent evidence to prove that the accused persons committed the aforesaid offences against the victim. The prosecution has not proved the guilt of accused persons. Hence, the accused are entitled to be acquitted. Hence, I proceed to pass following order.

ORDER

01. The accused persons namely 1) Pravin Dnyaneshwar Mane, 2) Shrikant Dnyaneshwar Mane, 3) Vilas Sandipan Aasbe, 4) Dnyaneshwar Uddhav Mane, 5) Ranjanabai @ Anjana Dnyaneshwar Mane and 6) Chaya Prakash Tate,

all R/o Marapur, Tal. Mangalvedha, Dist. Solapur are hereby acquitted of the offences punishable under sections 354-A r.w. 34 of Indian Penal Code, u/s 9, 10 of Prevention of Child Marriage Act, u/s 8, 10, 12, 17 of Protection of Children from Sexual Offences Act, vide Section 258(1) of BNSS (Sec. 235(1) of Cr.P.C.) in connection with Crime No. 628/2021 registered with Mangalvedha Police Station.

02. Bail bonds of accused persons stand cancelled. Their sureties are discharged.
03. The accused persons shall execute the bail bond of Rs. 15,000/- (Rs. Fifteen Thousand) each with surety of like amount each, which to appear before the Appellate Court as and when the Court issues notice in respect of appeal or petition against the judgment vide Section 481 of BNSS.
04. Muddemal property i.e. Motorcycle bearing No. MH-45/Y-7066 is already returned to applicant Pravin Mane as per order Exh. 8. Said order is made absolute, after appeal period is over.
05. As the matter is disposed of by this judgment, the record and proceeding be sent to the Record Department.

(Dictated and pronounced in the open Court)

Date – 20.07.2026.

(A. S. Salgar)
Special (POCSO) Judge, Pandharpur.

CERTIFICATE

I affirm that, the contents of this PDF file are same word to word as per the original.

01. Name of the Stenographer - Santosh Vilas Ghongade.
02. Name of the Court - Court of Dist. Judge 03,
Pandhapur.
03. Order/judgment signed by P.O. on - 20.07.2026.
04. Order /Judgment uploaded on - 20.07.2026.