

MHCC020108902026



**IN THE SPECIAL COURT FOR PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES ACT, 2012, AT GR. BOMBAY**

BAIL APPLICATION NO. 686 OF 2026

IN

REMAND APPLICATION NO. 1014 OF 2026

IN

CRIME NO.412 OF 2026

Hemant Tukaram Pawar

Age: 38 years, occu: Private Job,
R/o: Room No.259, Indira Nagar,
Ganguli Road, Satnacruz (W),
Mumbai- 400 049.

... Applicant

Versus

The State of Maharashtra

(At the instance of **Antop Hill** Police Station,
vide C.R. No.412 of 2026)

... State/ Respondent

Appearances:

Ld. Advocate Vinayak Reddy for the applicant.
Ld. SPP Smt. Mulla for the State.

CORAM : SMT. S. S. NAGUR

**H.H.SPECIAL JUDGE, UNDER POCSO ACT
(Court Room No.30)**

DATE : 03.08.2026

ORDER BELOW BAIL APPLICATION

1. The application is filed by applicant **Hemant Tukaram Pawar** for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No.412/2026 under Sections 79 of Bhartiya Nyay Sanhita,2023 (in short 'BNS') and Section 12 of The Protection of

Children from Sexual Offences Act, 2012 (hereinafter referred to as POCSO Act) of Antop Hill Police Station.

2. The applicant stated that he was arrested in the said crime. The applicant is innocent. He has not committed any offence. The applicant is falsely implicated in the case. The bail is rule while the jail is an exception as per the ratio of the Hon'ble Supreme Court and Hon'ble High Court. The applicant is ready to abide by the conditions of bail. Hence, prayed to allow the application.

3. The applicant has filed affidavit of Tukaram Vishnu Pawar in compliance with the directions of Hon'ble Supreme Court in Criminal Appeal No.825 of 2026, Zeba Khan V/s. State of U. P and Others, 2026 INSC 144. and Kusha Duruka V/s. The State of Odisha, 2024 INSC 46 and the Circular of the Hon'ble Bombay High Court (No.Insp-I/42/2026).

4. IO filed reply at Exh.2 and objected on the ground that the offence is very serious. The investigation is in progress. The statement of the victim under Section 183 of BNSS is yet to be recorded. In case released, will threaten the witnesses. Hence, prayed to reject the application. The victim filed reply at Exh.3 stating that not to release the applicant on bail because she is frightened and the applicant will again harass her.

5. Heard Advocate Shri. Vinayak Reddey for applicant and SPP Smt. Mulla for the State. Perused the application and reply (Exh.2 and 3) filed by IO and victim. I have gone through the case diary. The statement of victim u/s.183 of BNSS is not recorded. The nature of act committed by the accused is serious. The investigation is not yet

completed. The statement of victim is yet to be recorded. In case released the apprehension of threatening the victim cannot be ruled out. Considering the facts of the case and age of the victim I hold that applicant is not entitled for bail at this stage. Hence, pass following order-

ORDER

1. The Bail Application No.686 of 2026 is rejected.
2. Accordingly, the bail application is disposed of.

Date : 03.08.2026



(SMT. S. S. NAGUR)
Special Judge under POCSO Act,
City Civil & Sessions Court,
Gr. Mumbai.

Direct typed on : 03.08.2026
Checked on : 03.08.2026
Signed on : 03.08.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”		
Upload Date	Upload Time	Name of Stenographer
03.08.2026	05.45 p.m.	Vasanti Dattatray Bhosale
Name of the Judge (With Court Room No.)	HHJ. Smt. S. S. NAGUR (C.R.No.30)	
Date of Pronouncement of JUDGEMENT /ORDER	03.08.2026	
JUDGEMENT /ORDER signed by P.O. on	03.08.2026	
JUDGEMENT /ORDER uploaded on	03.08.2026	