



ITEM NO.34

COURT NO.5

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).
5502/2025

[Arising out of impugned final judgment and order dated
17-02-2025 in CRLWP No. 2919/2024 passed by the High
Court of Judicature at Bombay]

EX. LT. COL. PK TIWARI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[ONLY INTERIM PRAYER FOR BAIL IS LISTED UNDER THIS ITEM]

Date : 17-10-2025 This petition was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Pai Amit, AOR
Mr. Siddharth S. Chapalgaonkar, Adv.
Mr. Abhiyudaya Vats, Adv.
Ms. Pankhuri Bhardwaj, Adv.
Ms. Sneha Sanjay Botwe, Adv.
Ms. Merin Francis, Adv.

For Respondent(s) Mrs. Aishwarya Bhati Ld, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Ms. Shagun Thakur, Adv.
Ms. Shreya Jain, Adv.
Mr. Digvijay Dam, Adv.
Mr. Jagdish Chandra, Adv.
Mr. Raman Yadav, Adv.

UPON hearing the counsel the Court made the
following
O R D E R

Leave granted.

The question for consideration in this appeal is as to whether physical touch will come under the purview of the definition as mentioned in Section 7 of the Protection of Children from Sexual Offences Act, 2012, in which case, whether the offence under Section 9 is made out or not.

We are inclined to examine the said issue after hearing the parties at length.

Prayer for interim relief

Taking into consideration the period of incarceration undergone by the appellant and the allegations made against him, we are inclined to suspend the sentence imposed on the appellant and grant him bail during the pendency of this appeal.

Accordingly, the sentence imposed on the appellant stands suspended and he is granted bail, during the pendency of the appeal, subject to the terms and conditions that may be imposed by the Trial Court.

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR