



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No.17 of 2026

Iqbal

.....Applicant

Versus

State of Uttarakhand

.....Respondent

Presence: Mr. Subhash Tyagi Bhardwaj, learned counsel for the Applicant.

Mr. Vipul Painuly, learned A.G.A. for the State.

Hon'ble Ashish Naithani, J.

1. This first bail application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the Applicant seeking regular bail in connection with Case Crime No.363 of 2025 under Section 64(2)(m), 308(2), 319(2), 352 of B.N.S., Police Station Bahadrapad, District Haridwar, during the pendency of trial.
2. As per the State's story as alleged in the FIR the applicant concealed his identity, real name and religion and committed rape by force on victim with the false assurance of marriage. An FIR was lodged by the complainant/victim on 19.09.2025 at 06.03 PM at Police Station Bahadarabad.
3. Heard learned counsel for the parties and perused the records.
4. Learned counsel for the applicant submits that the statements on record do not clearly establish the commission of the alleged offences against the applicant. It is further contended

that the applicant and the victim were well acquainted with each other and shared a cordial and close relationship.

5. Learned counsel further submits that the applicant and the victim were connected with each other on the social media platform Instagram and had been following and interacting with one another since August, 2025, which reflects their prior friendship and continuous contact.
6. It is next submitted that the present FIR is false and has been lodged in a fabricated manner under political pressure only with a view to harass and implicate the applicant. Learned counsel also submits that the applicant has no previous criminal history.
7. Learned counsel for the applicant further submits that, as per the medical report, the age of the victim is about 22 years, indicating that she is a major. Upon consideration, this Court notes that the victim, as per the medical report, is a major aged about 22 years. The record further reflects that the applicant and the victim were acquainted with each other and were in regular contact prior to the lodging of the FIR. It is pertinent to mention that both the applicant and the victim were consenting adults and it also appears from the record that both the applicant and the victim shared good and close relations with each other. These aspects, coupled with the overall facts and circumstances of the case, have been duly taken into account by this Court at this stage.



8. Learned State Counsel has opposed the bail application.
9. It is well settled that at the stage of consideration of bail, a detailed evaluation of evidence is neither required nor permissible. Without making any observation on the merits of the State's case, and considering the nature of accusations, the material collected during investigation, the period of detention, and the settled principles governing grant of bail, this Court finds that the applicant is entitled to be enlarged on bail during the pendency of trial.
10. Consequently, the present bail application stands allowed.
11. Let the applicant-Iqbal be released on bail in the aforesaid case crime number upon furnishing a personal bond along with two reliable sureties of the like amount to the satisfaction of the court concerned, subject to the conditions that the applicant shall not misuse the liberty of bail; shall not attempt to influence or threaten the prosecution witnesses; shall remain present before the trial court on each date fixed unless his personal appearance is exempted; shall not indulge in any criminal activity during the pendency of trial; and shall not leave the territorial jurisdiction of the country without prior permission of the court concerned. In the event of violation of any of the above conditions, it shall be open to the prosecution to seek cancellation of bail in accordance with law.

Ashish Naithani, J.
20.02.2026

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