

HIGH COURT OF UTTARAKHAND AT NAINITAL

Third Bail Application No. 3 of 2026

22 July, 2026

Mangat Singh Alias Mangu

--Applicant

Versus

State Of Uttarakhand

--Respondent

Presence:-

Mr. Mani Kumar, Advocate for the Applicant, through video conferencing.

Ms. Manisha Rana Singh, Deputy Advocate General assisted by Mr. Rakesh Negi, Brief Holder for the State.

Mr. D.P. Mittal, Advocate for the informant.

Hon’ble Ravindra Maithani, J. (Oral)

The applicant is in judicial custody in Special Sessions Trial No. 368 of 2024, State of Uttarakhand v. Mangat Singh @ Mangu, which is based on FIR No. 81 of 2024, under Sections 363 & 376(3) IPC and Section 5 & 6 of the Protection of Children from Sexual Offences Act, 2012, Police Station – Gadarpur, District – Udham Singh Nagar (“the first FIR”). He seeks bail.

2. In fact, the applicant was initially granted bail on 23.07.2014, but in the Bail Cancellation Application No. 09 of 2025, Sameer Singh v. State of Uttarakhand and another, the bail granted to the applicant was cancelled by this Court on 22.07.2025. Thereafter, the applicant filed the second bail application BA 2 No. 300 of 2025, Mangat Singh *alias* Mangu v. State of Uttarakhand, which was withdrawn by him

on 07.01.2026.

3. In the bail cancellation application, the applicant filed a recall application (MCRC No. 1 of 2025) on the ground that he had never been issued notice before cancelling his bail. The recall application in BCA No. 09 of 2025, Sameer Singh v. State of Uttarakhand, was dismissed by a Coordinate Bench of this Court on 11.02.2026 holding that as per law since the bail of the applicant has been cancelled on default, the applicant needs to file a fresh bail application in this regard. It is thereafter, this third bail application has been filed by the applicant.

4. According to the FIR, in the midnight of 06.03.2024, the applicant enticed the victim, a young girl, who was studying in class IX.

5. At the time of his first bail application, it was argued on behalf of the applicant that the victim and the applicant were in romantic relations, they were adolescents and they both, on their own, left their respective homes.

6. Before the arguments are appreciated, it would be apt to further examine as to what was the chronology of events that led the applicant to this situation.

7. In fact, after grant of bail in the first bail application, another FIR No. 94 of 2025 ("the second FIR") was lodged against the applicant under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023 at P.S. Gadarpur, District Udham Singh Nagar, wherein it

was stated that after grant of bail, the applicant forcibly lifted the victim and took along with him. In the meanwhile, a *Habeas Corpus* Petition No. 12 of 2025, Sameer Singh v. State of Uttarakhand and others was also filed by the father of the victim, in which case, on 16.05.2025, the victim was produced before the Court and she joined the company of her father and mother, and the proceedings of *Habeas Corpus* were closed.

8. In the second bail application, the victim was interrogated by the Investigating Officer. She still stated that after grant of bail to the applicant, she left her home on her own and joined the company of the applicant. They went to Amritsar and Jalandhar and subsequently when they came to know that the police is looking for them, they returned to the police station.

9. On 04.04.2026, another FIR No. 104 of 2026, under Sections 115(2), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 ("the third FIR") was filed at P.S. Gadarpur against one Balvinder Singh *alias* Binda and Praveen Singh *alias* Pinnu by the father of the victim. According to it, on 14.03.2026, when the victim had gone to write her examination, Balvinder Singh *alias* Binda and Praveen Singh *alias* Pinnu molested the victim. When the informant/father of the victim questioned these persons, they attacked him. In the third FIR, the investigation is already going on.

10. During the course of hearing, learned State Counsel has produced the statements of the victim and the father of the victim in the third FIR. According to the statement of the victim,

when she was returning from school on 14.03.2026, Balvinder Singh *alias* Binda who is a close friend of the applicant and quite often visits to meet the applicant in jail, told her to message him in the evening. The victim did not reply and told the incident to her father, who questioned these persons, but they attacked him. This is what the father of the victim has told to the Investigating Officer in the third FIR.

11. One more fact needs attention. When recall application in bail cancellation application was dismissed by the Coordinate Bench of this Court on 11.02.2026, the Coordinate Bench also recorded that the applicant needs to file a fresh bail application. It was argued on behalf of the applicant that he was never given a notice in the bail cancellation application. This Court on 18.06.2026 required the applicant to file his objection to the bail cancellation application, which has already been filed.

12. Heard learned counsel for the parties and perused the record.

13. Learned counsel for the applicant submits that the applicant was never issued notice for cancellation of his bail, therefore, he could not give objection. It is argued that post lodging of the second FIR against the applicant, the victim was not recovered from the possession of the applicant; she on her own visited the police station, where she was produced in the case of *Habeas Corpus*. Learned counsel would submit that Balvinder Singh *alias* Binda was named in the first FIR, who has also been named in the third FIR. It is argued that

their *alias* names are different in the FIR. Moreover, it is argued that for something, which has been done by Balvinder Singh *alias* Binda and Praveen Singh *alias* Pinnu, the applicant may not be denied concession to bail.

14. Learned counsel for the State submits that in the third FIR, Balvinder Singh is named, who had first tried to contact the victim and thereafter assaulted the father of the victim. This is what the victim and her father have stated before the Investigating Officer in the third FIR. She submits that in view of it, grant of bail to the applicant would endanger the life of the witnesses and they may try to tamper the evidence.

15. Learned counsel for the informant submits that the informant has threats to life at the hands of the applicant; the applicant is trying to approach the victim by multiple ways and on 14.03.2026, Balvinder Singh, the friend of the applicant, tried to contact the victim and when the victim revealed this fact to her father and her father questioned those friends of the applicant, he was assaulted, and in this case FIR has been lodged.

16. After cancellation of bail, some more developments had taken place. Undoubtedly, bail of a person may not be cancelled without giving him an opportunity of hearing. In this case, the bail of the applicant has been cancelled, admittedly without affording any opportunity of hearing. But, when the applicant tried to move an application for recall of the bail cancellation order, it was rejected by the Coordinate Bench of this Court on 11.02.2026 with the observation that the applicant may file fresh bail application.

17. Now this Court has to consider whether the bail has been rightly cancelled and as to whether there exist grounds to enlarge the applicant on bail?

18. Law is much clear that bail once granted should not be easily cancelled. As stated, cancellation of bail could not have been done without issuing notice. But, that chapter is closed. Now this Court has to see in totality as to whether the applicant deserves bail now?

19. Fact remains that the first FIR was lodged against one Balvinder Singh *alias* Govinda, son of Bal Singh, who was not chargesheeted in the first FIR and in the third FIR, the name is recorded as Balvinder Singh *alias* Binda, son of Kabul Singh. Learned counsel for the informant submits that this is one and the same person. The statements of the victim and her father recorded in the third FIR have been tendered for perusal of the Court. Let they be placed on record.

20. According to the statement of the victim, on 14.03.2026, one Balvinder Singh approached her and asked her to message him. She states that Balvinder Singh is a close friend of the applicant, who meets the applicant in jail quite often. When the victim revealed it to her father, he questioned Balvinder Singh and Praveen Singh, but he was assaulted. This is a serious issue.

21. Moreover, after the applicant was released on bail and when the victim approached the applicant, he ought to have

approached the police and informed the parents of the victim. But, in fact, he went along with the victim at various places. According to the prosecution, the victim is a minor girl. Her consent admittedly has less significance in the eyes of law, as the applicant had been dominating the mind of the victim.

22. Things have taken another turn. On 16.06.2026, the victim appeared before the Court and said that the applicant should not be granted bail; she is afraid of the applicant. She, on that date, told before the Court that the friends of the applicant also molested her and attacked her father.

23. Having considered the subsequent developments in terms of the applicant going with the victim after grant of bail in the first FIR at various places in Punjab and also keeping in view the fact that one of the friends of the applicant, namely, Balvinder Singh tried to approach the victim on 14.03.2026 and thereafter he along with one Praveen Singh *alias* Pinnu attacked the father of the victim, this Court is of the view that there is no ground to grant bail to the applicant. Consequently, the third bail application deserves to be rejected.

24. The third bail application is rejected.

(Ravindra Maithani, J.)

22.07.2026

Avneet/-