

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:2916
			<u>BA1 No. 317 of 2026</u> Aniket Singh Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Mr. Yogesh Upadhyay, learned counsel for the Applicant. 2. Mr. Dinesh Chauhan, learned A.G.A. for the State of Uttarakhand. 3. Ms. Ashwariya Thapliyal, learned counsel for the Complainant. 4. The present Bail Application has been moved by the Applicant—Aniket Singh, S/o Shri Yadram, R/o Shivrajpur Patti, Police Station Kunda, District Udham Singh Nagar. The Applicant is in judicial custody in connection with Case Crime/FIR No. 423 of 2025, registered at Police Station Kunda, District Udham Singh Nagar, for the offences punishable under Sections 69 and 88 of the Bharatiya Nyaya Sanhita, 2023. 5. Heard Mr. Yogesh Upadhyay, learned counsel for the Applicant, Mr. Dinesh Chauhan, learned A.G.A. for the State, and Ms. Aswariya Thapliyal, learned counsel for the complainant. Perused the record. 6. As per the prosecution case, the Applicant, on the false pretext of marriage, established physical relations with the victim and allegedly exploited her, resulting in pregnancy. It is further alleged that upon learning of the pregnancy, the Applicant compelled the victim to take medication for termination of pregnancy and subsequently refused to marry her. It is also alleged that the Applicant verbally abused the victim and her family members. It has further been stated that, due to distress, the victim

		consumed poison and was hospitalized in a critical condition. 7. Learned counsel for the Applicant submits that after investigation, a charge-sheet has been filed wherein the offence under Section 88 of the Bharatiya Nyaya Sanhita, 2023 (relating to causing miscarriage) has been dropped, and the charge-sheet has been submitted only under Section 69 of the Bharatiya Nyaya Sanhita, 2023, which pertains to sexual intercourse by employing deceitful means. It is further submitted that although the FIR was initially registered under Sections 69 and 88 of the Bharatiya Nyaya Sanhita, 2023, the omission of Section 88 after investigation casts doubt on the prosecution case. It is contended that the Applicant never established any physical relationship with the victim, nor did he administer or provide any medicine for causing abortion, as alleged. It is further argued that the prosecution case is fabricated and unsupported by any documentary, medical, scientific, or electronic evidence. The allegations are stated to be bald and uncorroborated. It is also contended that there is no material to show that the Applicant made any false promise of marriage. It is submitted that the Applicant is in judicial custody since 26.11.2025 and has been falsely implicated due to ulterior motives. 8. Per contra, learned State counsel has opposed the Bail Application and submitted that although Section 88 of the Bharatiya Nyaya Sanhita, 2023 has been dropped, the statements of the victim recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 support the prosecution case regarding false promise of marriage and exploitation. It is thus argued that the Applicant is not entitled to bail. 9. After hearing the submissions of learned counsel for the parties and upon perusal of the record, this Court finds that the offence under Section 88 of the Bharatiya Nyaya Sanhita, 2023 has
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		been omitted in the charge-sheet, and the case now primarily rests on the allegation under Section 69 of the Bharatiya Nyaya Sanhita, 2023. Without expressing any opinion on the merits of the case, and considering the facts and circumstances, this Court is of the view that the Applicant has made out a case for grant of bail at this stage. 10. Accordingly, the Bail Application is allowed. 11. Let the Applicant be released on bail upon executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the Court concerned. 12. All pending applications, if any, stand disposed of. (Ashish Naithani, J.) 21.04.2026 Shiksha
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