

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1 No. 798 of 2026</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Mukesh Kaparuwan, learned counsel for the applicant. 2. Mr. G.S. Sandhu, learned Addl. Advocate General with Mr. Pradeep Lohni, learned Brief Holder for the State. 3. Present applicant Karan Pandey, S/o Late Rajiv Kumar Pandey is praying for bail in reference to FIR dated 22.05.2024 bearing FIR No. 0069 of 2024, P.S. Muni-Ki-Reti, District Tehri Garhwal wherein on completion of investigation charge sheet was filed and now the applicant is facing trial in S.T. No. 31 of 2024 for the offences punishable under Section 363, 366(A), 376(2)(n), 376(3) and Section 5(l)/6 of the POCSO Act. 4. It is submitted by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated, and, in fact, he was in love with the victim (daughter of the complainant) and the victim in her statement, recorded under section 183 of BNSS admits the love affair with the present applicant. He further submits that the trial has already been commenced, however, up till date out of 18 witnesses only 6 witnesses have been examined and there is no possibility that the trial would be expedited soon. He further submits that the applicant is languishing in jail since 09.06.2024, i.e. last more than two years and suffered long incarceration. 5. On the other side, Mr. Sandhu, learned Addl. Advocate General for the State submits that the victim at the time of the incident was only 14 years old, however he has not disputed that the applicant at the time of the incident was also minor and 17 years old. He has also not disputed that the present applicant is languishing in jail since 09.06.2024 and for almost two years he is in

			custody, and though the trial has been commenced and up till date out of 18 witnesses only six witnesses have been examined, and, therefore, there is no possibility that the trial would be expedited soon. 6. There is another aspect in the matter, i.e. love angle in between the applicant and the victim. No doubt at the time of the incident both were minor and the victim was three years younger to the present applicant, so the tender age of both may be the factor, however, all these aspects are subject matter of the trial, however, taking into consideration that the applicant who at present is now 18 years old and is languishing in jail for last more than 2 years, and there is no possibility that the trial would be expedited soon, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merit of the case the bail application is allowed. 8. Let the applicant Karan Pandey be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned. 9. It is made clear that after being released on bail the applicant shall join the trial court proceeding without seeking any adjournment and the Trial Court is directed to expedite the trial as early as possible keeping in view the mandate of POCSO Act. (Rakesh Thapliyal, J.) 10.06.2026 Parul
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