

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010087062026  2026:UHC:7374 COURT'S OR JUDGE'S ORDERS
			<u>BA1/877/2026</u> Shahrukh --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Parikshit Saini, learned counsel with Ms. Shazia Parveen, learned counsel for the applicant. 2. Mr. G.S. Sandhu, learned Additional Advocate General assisted by Mr. Deepak Bhardwaj, learned Brief Holder the State. 3. None appeared for the complainant. 4. The instant bail application is moved on behalf of the applicant-Shahrukh, S/o Naseem, who is praying for bail in reference to a first information report dated 19.03.2026 bearing FIR No.0268 of 2026, P.S. Kotwali Jwalapur, District Haridwar wherein the present applicant is charge sheeted for the offences punishable under Section 351(2) and 69 of the BNS, 2023. 5. It is submitted by learned counsel for the applicant that applicant is innocent and has been falsely implicated and infact the applicant and the victim known to each other and they come up with a written agreement on 20.01.2026 wherein both of them agreed to live in relationship, the copy of which is enclosed as Annexure 2. He submits that applicant was serving in Kuwait and in January 2026 he came to India and thereafter

		this agreement entered in between the applicant and the prosecutrix. It is submitted that after 20 days of their live in relationship some dispute arose and then the applicant have no option except to leave the room where he was living with the victim and thereafter the FIR has been lodged by alleging therein that due to their physical relation she also became pregnant. He submits that during investigation, the other persons, who are named in the FIR, including the parents of the applicant, have been exonerated and only the applicant is charge sheeted for the offence punishable under Section 351(2) and 69 of BNS, 2023. He submits that the allegation with regard to her pregnancy found to be false as per the medical report and Dr. Archana Singh makes a statement that the UPT report of the prosecutrix was found to be negative and ultrasound was also not clear, which is at page 38, thereafter a blood sample test was also conducted on 23.03.2026 and prosecutrix was not found to be pregnant. He further submits that the allegation appears to be false, firstly in view of the statement of the doctor and secondly the other persons, who are also named in the FIR, have been exonerated and the present applicant is now languishing in jail since 20.03.2026 and he has no criminal antecedents and in this particular case now the charge sheet has already been filed, therefore, the applicant be released on bail. 6. On the other side Mr. G.S. Sandhu, learned Additional Advocate General have not disputed about the medical test of the
--	--	---

			prosecutrix wherein UPT report was found to be negative even the blood sample test report also does not establish that the prosecutrix was pregnant. Apart from this, Mr. G.S. Sandhu, learned Additional Advocate General have not disputed that the charge sheet has been filed and the trial is commenced. 7. After hearing the submission of learned counsel for the parties and taking into consideration that the charge sheet has already been filed and the present applicant is languishing in jail since 20.03.2026 and have no criminal antecedents and as per the doctor's statement, the prosecutrix was not found to be pregnant due to the physical relationship in between the applicant and the victim and there is written agreement also with regard to live in relationship, this Court is of the view that applicant deserves for bail. 8. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 9. Let the present applicant-Sharukh 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 subject to the following conditions:- "i. Applicant shall join the trial court proceeding on each and every date without seeking any unnecessary adjournment. (ii) Applicant shall not make any attempt to give any threat to the victim and her family members.
--	--	--	--

			(iii) The applicant shall surrender his passport within three days after being released on bail before the trial court and will not leave the country without prior permission of the court concerned. In breach of any such conditions as aforesaid, the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 17.08.2026 Arti
--	--	--	---