

**HIGH COURT OF UTTARAKHAND AT NAINITAL****Anticipatory Bail Application No. 272 of 2026****23rd July, 2026**

Vipin Yadav

.....Applicant

Versus

State Of Uttarakhand and Others

.....Respondents

Presence:-

Mr. Jyoti Kala and Mr. Sanjeev Kumar, learned counsel for the applicant.

Mr. Akshay Latwal and Mr. Prabhat Kandpal, learned A.G.A. for the State.

Ms. Prabha Naithani, learned counsel for the complainant/prosecutrix.

Hon'ble Mr. Alok Mahra, J. (Oral)

By means of the present application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks anticipatory bail in connection with F.I.R./Case Crime No. 75 of 2026, registered at Police Station Rajpur, District Haridwar, for the offence punishable under Section 69 of the B.N.S.

2. Learned counsel for the applicant would submit that, as per the allegations contained in the F.I.R., the applicant and the complainant/prosecutrix



had known each other for more than one year. It is alleged that the applicant established physical relations with the complainant/prosecutrix on the false promise of marriage and also subjected her to unnatural sexual acts. Learned counsel contends that the applicant is innocent and has been falsely implicated. According to him, the complainant/prosecutrix is engaged in the business of running a spa centre and also provides spa services to customers at their residences; that, the relationship between the applicant and the prosecutrix was purely that of a service provider and a customer; that, from September, 2025 onwards, the complainant/prosecutrix started providing spa services to the applicant, for which the applicant regularly made payments through the UPI mode; that, the complainant/prosecutrix herself frequently contacted the applicant through WhatsApp calls and voluntarily sought meetings with him; that, on several occasions, the applicant paid money to the complainant/prosecutrix at her request in good faith.

3. Learned counsel would further submit that



on 26.04.2026, the complainant/prosecutrix, along with her associates, namely Rahul and Parvinder Singh, allegedly called the applicant to a Police Chowki at Dehradun and demanded a sum of ₹15,00,000/- by threatening that, in case of non-payment, she would lodge a false criminal complaint against him; that, under coercion, fear and threat to his life, the applicant was compelled to pay an amount of ₹1,60,000/- in cash and a further sum of ₹1,80,000/- through a cheque drawn on HDFC Bank in favour of the complainant/prosecutrix. He would further submit that the applicant has thereafter lodged an F.I.R. against the prosecutrix and her aforesaid associates alleging extortion and criminal intimidation. In support of the said contention, learned counsel has placed various documentary materials on record.

4. Learned counsel further argues that the allegation that the applicant induced the complainant/prosecutrix into a physical relationship on a false promise of marriage is wholly untenable, particularly when the prosecutrix is a major and consenting adult; that, the relationship, if any, was



consensual and continued over a considerable period of time. Reliance has been placed upon the order passed by this Court in ABA No. 32 of 2026, wherein anticipatory bail was granted in similar circumstances after noticing that the complainant therein was a 34-year-old widow residing with her two minor children and that the allegations appeared to have been levelled with an oblique motive to extort money. Reliance has also been placed upon the judgment of the Hon'ble Supreme Court in Pramod Suryabhan Pawar vs. State of Maharashtra, (2019) 9 SCC 608, wherein it has been held that every consensual physical relationship arising out of a promise to marry does not constitute an offence unless it is established that the promise was false from its inception and was made solely to obtain consent for the sexual relationship. It is, therefore, submitted that the applicant is entitled to the protection of anticipatory bail.

5. Per contra, learned State counsel, as well as learned counsel appearing for the complainant /prosecutrix would vehemently oppose the anticipatory bail application. They submit that the



allegations made in the F.I.R. disclose the commission of a cognizable offence and that the prosecutrix, in her statement recorded under Section 183 of the B.N.S.S. has fully supported the prosecution case. It is further contended that the judgment relied upon by the learned counsel for the applicant is distinguishable on facts and has no application to the present case.

6. Heard learned counsel for the parties and perused the material available on record.

7. Having given anxious consideration to the rival submissions and upon perusal of the record, this Court finds that it is an admitted position that substantial monetary transactions took place between the applicant and the prosecutrix. The defence put forth by the applicant, including the plea that the relationship was merely that of a customer and service provider and that the complainant/prosecutrix attempted to extort money from him, involves disputed questions of fact which require thorough investigation and cannot be conclusively adjudicated at the stage of consideration of an application for anticipatory bail. The statement of the prosecutrix recorded under



Section 183 of the B.N.S.S. prima facie support to the prosecution case. The precedents relied upon by the learned counsel for the applicant turn upon their own facts and do not persuade this Court to extend the extraordinary discretionary relief of anticipatory bail in the facts and circumstances of the present case.

8. Accordingly, at this stage, without expressing any opinion on the merits of the case, this Court is not satisfied that the applicant has made out a case warranting grant of anticipatory bail.

9. Accordingly, the anticipatory bail application is hereby rejected.

10. No order as to costs.

(Alok Mahra, J.)

23-07-2026

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