

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010118872025  2026:UHC:7479
			<u>UKHC010118872025</u> <u>BA1/1379/2025</u> Parvinder --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Shivam Gulati, learned counsel, for the applicant. 2. Ms. Rangoli Purohit, learned AGA for the State of Uttarakhand. 3. The present applicant – Parvinder S/o Ranveer is praying for bail in reference to FIR dated 02.09.2024 bearing FIR No.593 of 2024, Police Station Kotwali Roorkee, District Haridwar, wherein, the present applicant is implicated and chargesheeted for the offences punishable under Sections 115 (2), 351 (3), 65 (1) and 64 (2) (m) of BNS, 2023 read with Sections 3 (a)/4 (ii), 5 (l)/6 of the POCSO Act. 4. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated and languishing in jail since 22.10.2024 and there is no substantial progress in the trial. Apart from this, he submits that the victim was examined as PW1 on 09.06.2025 and she has not supported the case of the prosecution, which is evident from her chief as per paragraph 10. Apart from this, he further submits that the sample of the victim as well as the accused were taken for forensic analysis but DNA is found to be negative, and therefore, there is no scientific evidence. He further submits that the Doctor who has examined the victim has also not given any definite opinion about sexual assault. He further submits that the present applicant is languishing in jail since 22.10.2024 i.e. for almost one year ten months and have no criminal antecedents, therefore, the applicant be released on bail. 5. On the other side, learned AGA submits that after collecting all credible evidence, the chargesheet has been filed and the victim at the time of the alleged incident was about 14 years and with regard to the DNA report,

		she submits that though the DNA report does not support but there are other evidences which are completely the subject matter of the trial. With regard to the testimony of the victim, she submits that this is also a subject matter of the trial, however, she has not disputed that the present applicant is languishing in jail since 22.10.2024 and have no criminal antecedents. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the present applicant have no criminal antecedents and he is languishing in jail since 22.10.2024 and has already suffered long incarceration and there is no substantial progress in the trial, therefore, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merits of the case, the instant bail application is allowed. 8. Let the applicant - "Parvinder", be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:- a) After being released on bail the applicant shall join the Trial Court proceedings on each and every date without seeking any unnecessary adjournment. (b) The applicant shall not tamper with the evidence or to threaten the witnesses acquainted with the facts of the case. (d) On breach of any such conditions, the prosecution is directed to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 19.08.2026 Nitesh/
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