



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/1945/2025</u> Fardeen --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Himanshu Agarwal, learned counsel for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder for the State. 3. The present applicant Fardeen, S/o Abdul Hasan is praying for bail in reference to FIR dated 30.05.2025 bearing FIR No. 0238 of 2025 P.S. Kashipur District Udham Singh Nagar wherein the present applicant along with one another person, namely, 'Adam' have been implicated for the offence punishable under Section 137(2) of BNS 2023. In this FIR on completion of investigation the present applicant has been charge sheeted for the offences punishable under Sections 137(2), 64(1), 87 of BNS 2023 read with Section 5/6 of the POCSO Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated, and, in fact, the victim known to the applicant since they were friend through instagram. He further submits that the present applicant is languishing in jail since 21.07.2025 and the trial has already been commenced and taking into consideration that the victim admits about their friendship in her statement recorded under Section 183 of the BNS 2023 the applicant be released on bail. 5. Learned counsel for the applicant



		further argued that even on the perusal of the statement of the victim no offence is made out and the charge sheet has been filed in a very cursory manner. 6. On the other side Mr. Vijay Khanduri learned Brief Holder for the State vehemently opposed the bail application by submitting that on the first date of the incident, which according to the statement of the victim was happened in the year of 2021, the victim whose date of birth is 17.07.2009 was only 12 years old. He also submits that the medical report also reveals that there was sexual assault with the victim and the Doctor who conducted the medical also stated that it cannot be ruled out that there is no sexual assault with the victim. 7. After hearing rival submission of the learned counsel for the parties and after gone through with the record including the statement of the victim and the medical report this Court does not find any merit since on the first date of the incident the victim was 12 years old and the medical report also support the case of the prosecution, in such view of the matter the instant bail application lacks merit and rejected. 8. After dictation of the order learned counsel for the applicant submits that the present applicant is languishing in jail since 21.07.2025 and almost one year has been passed and the trial is already commenced, therefore, the trial court be directed to expedite the trial as early as possible. 9. The State counsel has no objection on such submission. 10. In such view of the matter, the Trial Court is directed to make all possible efforts to expedite the trial preferably within six months from the date of receipt of the order. It is further made clear that the Trial Court
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			may proceed with the trial without being influenced with the observation as above. 11. Registry is directed to send the copy of this order to the concerned trial court for necessary compliance. (Rakesh Thapliyal, J.) 07-07-2026 Parul
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