

HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 412 of 2024

Smt. Aaftara

...Applicant

Versus

State of Uttarakhand and another

...Respondents

Present:-

Mr. Bilal Ahmad, Advocate for the applicant.

Ms. Manisha Rana Singh, A.G.A. for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant seeks anticipatory bail in Case Crime No. 296 of 2018, under Section 342, 295A IPC, Police Station Kotwali Roorkee, District Haridwar.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the son of the applicant, who is the co-accused, met the informant on 02.10.2016 in Kerala. Thereafter, the co-accused and the victim befriended each other. Under the pretext of marriage, the FIR states, that the co-accused established physical relations with the victim on multiple occasions at various places. But subsequently, he declined to marry or pressurized the victim to convert to other religion, to which, the victim was not agreeable. The allegation against the applicant is that she also tried to pressurize the victim to convert her religion.

4. Learned counsel for the applicant would submit that applicant has been falsely implicated; the co-accused and the victim, both were in mature consensual relationship; both are major.

5. Learned counsel for the State would submit that the victim has supported the prosecution case during investigation and the applicant has already been charge sheeted.

7. Having considered the entirety of facts, this Court is of the view that this is a case fit for anticipatory bail.

8. The anticipatory bail application is allowed.

8. In the eventuality of arrest, the applicant shall be enlarged on anticipatory bail subject to her furnishing a personal bond with two sureties, each of the like amount, to the satisfaction of the court concerned. In addition to it, the applicant shall also comply with the following conditions:

- (i) The applicant shall not approach any witness in any manner, whatsoever.
- (iii) The applicant shall not leave the country without prior permission of the concerned court.
- (iv) The applicant shall deposit her passport with the court concerned. The passport may only be returned by the order of the court concerned. In

case, the applicant does not have passport, she shall give an undertaking to that effect to the court concerned.

- (v) The applicant shall also give an undertaking on (i), & (ii) above.

(Ravindra Maithani, J.)
27.06.2024

Jitendra