HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No.515 of 2024

Sachin Negi ...Applicant

Versus

State of Uttarakhand ...Respondent

Present:-

Mr. Mukesh Rawat and Mr. Shivam Gulati, Advocates for the applicant.
Mr. Siddharth Bisht, A.G.A. with Mr. Himanshu Sain, Brief Holder for the State.
Mr. Prabhakar Narayan, advocate for the informant.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant seeks anticipatory bail in FIR No. 243 of 2024, under Section 376 of IPC, Police Station Patel Nagar, District Dehradun.

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

3. According to the FIR, the applicant and the informant both were working together in some establishment. The applicant proposed the informant, and, thereafter, one day, forcibly established physical relations with the informant. Thereafter, the applicant continued doing so on multiple occasions under the assurance of marriage. In the year 2021, the applicant went abroad for studies and again assured the informant that he would take her along with him, but he did not. Their relationship continued for many years.

4. Learned counsel for the applicant would submit that the parties were in relationship; the applicant has

returned from United Kingdom; he has appeared before the Investigating Officer; his passport has been taken by the Investigating Officer.

5. Learned State counsel admits that the applicant has appeared before the Investigating Officer and his passport has been taken by him.

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

7. The anticipatory bail application is allowed.

8. In the eventuality of arrest, the applicant shall be enlarged on anticipatory bail subject to his furnishing a personal bond with two sureties, each in the like amount, to the satisfaction of the Arresting Officer ("AO"). In addition to it, the applicant shall also comply with the following conditions:

(i) The applicant shall co-operate with the investigation.

(ii) 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 his passport with the AO. The passport may only be returned by the order of the court concerned. In case, the applicant does not have a passport, he shall give an undertaking to that effect to the AO.

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

(Ravindra Maithani, J.)
27.12.2024

Jitendra