HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1938 of 2024

Sameer .....Applicant

Versus

State of Uttarakhand .....Respondent

Present:-

Mr. Gaurav Singh, Advocate for the applicant.
Mr. Pankaj Joshi, AGA for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant Sameer is in judicial custody in FIR/Case Crime No. 42 of 2024, under Sections 363, 366, 376(3), 376(2)(n) IPC and Section 3(A)/4(2), 5(*l*) /6 of the Protection of Children from Sexual Offences Act, 2012, Police Station Kotwali Mangloure, District Haridwar. He has sought his release on bail.

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

3. Learned counsel for the applicant would submit that the applicant and victim both were in romantic relationship; the relations were consensual. It is argued that this is what the victim has revealed at the time of her medical examination, when she stated that she had left her home on her own; they were in romantic relationship and the relationship was consensual. It is argued that no offence is made out against the applicant.

4. Learned State Counsel admits that at the time of medical examination the victim had revealed it to the doctor that she left her home on her own; they were in romantic relationship and the relationship was consensual. But, learned State Counsel would submit that subsequently the victim told that the applicant established physical relations with her forcibly.

5. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

6. The bail application is allowed.

7. Let the applicant 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.

(Ravindra Maithani, J)
16.12.2024

Avneet/