SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1442/2026 Shubham --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Ankur Sharma and Ms. Himanshi Singhal, Advocates for the applicant. Mr. N.S. Kanyal, A.G.A. for the State of Uttarakhand. 2. This first bail application has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.249 of 2026, under Section 3(a)/4 of POCSO Act and Section 137(2) and 64(1) of B.N.S., 2023, registered at Police Station Kotwali Laksar, District Haridwar. 3. An F.I.R. was lodged by the father of the victim, in which it was mentioned that applicant is having relations with his daughter for last more than two years and he has enticed her away and when complainant threatened him that he will lodge an F.I.R. against him, then the victim was returned back to him. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has been languishing in judicial custody since 14.03.2026. It is further submitted that the age of the victim at the time of the alleged incident was 16 years and 3

			months. Learned counsel has drawn the attention of this Court to the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and also before the doctor, wherein she stated that she and the applicant had been in a relationship for more than two years and that physical relations were made between them with her own consent. It is, therefore, contended that, having regard to the nature of the allegations, the material available on record, and the period of incarceration already undergone by the applicant, the applicant deserves to be enlarged on bail. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail. 6. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the victim was aged about 16 years and 3 months at the time of the alleged incident. The statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and also before the doctor, as referred to by learned counsel for the applicant, indicates that she had been in a relationship with the applicant for more than two years and physical relations were established between them on her own consent. It is further borne out from the record that the applicant has been in judicial custody since 14.03.2026. Having regard to the totality of the facts and circumstances of the case, the nature of the material available on record, the stage of the proceedings and the period of incarceration already undergone by the applicant, this Court is of the considered view that the applicant has made out a

			case for grant of bail. Accordingly, without expressing any opinion on the merits of the case, the applicant deserves to be enlarged on bail. 7. Accordingly, the bail application is allowed. 8. Let the applicant be released on bail, on executing personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned. **(Alok Mahra, J.)** 16.11.2026 *Arpan* ARPAN JAISWAL Digitally signed by ARPAN JAISWAL Date: 2026.11.16 17:29:01 +05'30'