SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1683/2026 Dhruv Singhu --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Pragya Prakash Upadhyay, Advocate for the applicant. Mr. Himanshu Sain, 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.59 of 2026, under Section 69 of B.N.S., 2023, registered at Police Station Clement Town, District Dehradun. 3. An F.I.R. was lodged by the complainant, alleging therein that her marriage was fixed with the applicant in December, 2024. However, on 02.01.2025, the parents of the applicant called off the proposed marriage. It is further alleged that, despite the cancellation of the marriage, the applicant continued to assure the complainant that he would persuade his parents and would marry her. On the pretext of such assurance, the applicant allegedly established physical relations with the complainant on several occasions, the last such occasion being 23.03.2025. However, subsequently, the applicant refused to solemnize the marriage.

			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 02.09.2026. It is contended that the essential ingredients of the offence punishable under Section 69 of the B.N.S. are not attracted in the facts of the present case, as the physical relationship between the parties was not established on any false promise or pretext of marriage. It is further submitted that although the marriage, which had earlier been fixed, was called off by the parents of the applicant, the applicant made sincere efforts to persuade his parents to solemnize the marriage; however, the same could not materialize due to certain unavoidable circumstances and temperamental differences between the parties. Learned counsel has further drawn the attention of this Court to the statement of the victim recorded under Section 180 of the B.N.S.S., wherein she has stated that the relationship between the parties had turned sour for the last more than fifteen months owing to temperamental differences. It is, thus, contended that the material available on record prima facie indicates that the dispute arose out of differences between the parties and that the subsequent failure of the relationship to culminate in marriage, by itself, would not establish that the applicant had made a false promise of marriage from the inception. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail and submitted that, having regard to the nature and gravity of the allegations, the applicant is not entitled to be enlarged on 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 applicant has been in judicial custody since 02.09.2026. The marriage between the parties was admittedly fixed but was subsequently called off by the parents of the applicant. The defence has specifically relied upon the statement of the victim recorded under Section 180 of the B.N.S.S., wherein she has referred to temperamental differences between the parties and deterioration of their relationship for a period of more than fifteen months. This aspect, along with the contention that the applicant had made efforts to persuade his parents to solemnize the marriage, raises issues which would require consideration during trial.

7. Considering the period of incarceration undergone by the applicant, the nature of the allegations, the material brought on record, particularly the statement of the victim, and the fact that the matter is yet to be tested during trial, this Court is of the considered view that the applicant has made out a case for grant of bail.

8. Accordingly, the bail application is allowed.

9. 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.)
05.11.2026

Arpan

ARPAN JAISWAL