HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 439 of 2026

28 October, 2026

Aasif --Applicant

Versus

State Of Uttarakhand --Respondent

Presence:-

Mr. Parikshit Saini, learned counsel for applicant.
Mr. Tumul Nainwal, learned A.G.A. with Ms. Sweta Badola Dobhal, learned Brief Holder for the State of Uttarakhand.

Hon'ble Pankaj Purohit, J.

Applicant has moved this anticipatory bail application in connection with FIR No.0322 of 2026 dated 13.09.2026 under Sections 351(3), 352 and 69 of BNS, 2023, registered with P.S. Bahadarabad, District Haridwar.

2. It is alleged in the FIR that applicant-Aasif had developed physical relations with informant-victim for the last two years on the false pretext of marriage. But, now applicant is refusing to marry the informant-victim.

3. It is contended by learned counsel for applicant that there is a civil suit pending between the mother of victim-Vasheela and father of

applicant-Noor Ali, in the court of Civil Judge (Senior Division), Laksar, District Haridwar, which is registered as O.S. No.20 of 2026 Vasheela Vs. Noor Ali. The said Suit was filed by victim's mother seeking injunction against applicant's father on 21.04.2026.

4. It is further contended by learned counsel for applicant that only to settle the civil dispute, the instant FIR has been lodged, not only against the application but also against his entire family- parents and two brothers, which is totally false.

5. It is further contended by him that informant-victim is a divorcee and is 28 years of age while applicant is unmarried youth and there is no question of false promise of marriage with informant-victim.

6. Per contra, learned State Counsel submits that from perusal of FIR, the ingredients of offence is made out against the applicant, but, he could not furnish any reason as to why the entire family has been implicated.

7. In such view of the matter, this Court is of the opinion that this is a fit case where anticipatory bail can be granted to applicant.

8. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of applicant Aasif, he shall be immediately released on anticipatory bail on executing a personal bond of Rs.30,000/ - and two reliable sureties, each of like amount, to the satisfaction of Investigating

Officer, subject to the following conditions: -

i) Applicant shall cooperate with the Investigating Agency and he shall make himself available for interrogation by a police officer as and when required;

ii) If the charge-sheet is filed, the applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;

iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

iv) Applicant shall not leave the country without the previous permission of the trial court.

7. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.

8. Let a certified copy of this order be supplied to learned counsel for parties today itself, as per Rules.

(Pankaj Purohit, J.)
28.10.2026

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