


SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	<p style="text-align: right;">COURT'S OR JUDGE'S ORDERS</p>  <p style="text-align: right;"><b>2026:UHC:2672</b></p>
			<p><b><u>BA 1<sup>st</sup> No.131 of 2026</u></b>  "Wajid Vs. State of Uttarakhand"</p> <p><b><u>Hon'ble Ashish Naithani, J.</u></b></p> <p>Mr. Shashi Kant Shandilya, learned counsel for the Applicant.</p> <p>2. Mr. N.S. Kanyal, learned AGA, for the State of Uttarakhand.</p> <p>3. Mr. Priyanshu Gairola, learned counsel for the Complainant.</p> <p>4. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Wajid, who has been accused in FIR No.135 of 2025, dated 04.11.2025, under Sections 376, 384, 504 and 506 of IPC, at Police Station Selaqui, District Dehradun.</p> <p>5. The prosecution case, as per the FIR, is that the Complainant/Informant made an allegation that during the period of 2016-2017, while she was working at the Salon allegedly run by the Applicant, he took objectionable photographs/videos of her, blackmailed her and established physical relations with her over a long period of last 5-6 years, and also allegedly extorted money from her and threatened her as well.</p> <p>6. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the present matter and FIR is a product of afterthought, exaggeration and personal vendetta. The main consideration for bail as advanced by the learned counsel for the Applicant is that</p>

allegation are highly belated, allegedly spanning over 5-6 years, yet no plausible explanation for such extraordinary delay has been offered, which by itself seriously erodes the credibility of the prosecution story.

7. The victim/informant is a married woman age of majority, and the FIR is conspicuously silent about any specific dates, time or particular incidents of alleged forcible acts. The allegations are vague, omnibus and lacking particulars, making custodial detention wholly unjustified.

8. There is an admission from the other side that there was a money transaction between the parties as the victim/informant required some money for establishing a Salon for herself, and she required monetary help from the present Applicant.

9. Learned counsel for the Applicant stresses again that the victim/informant was already married and had children as well. The allegations are at the face of it very vague and without any credible substances and evidence, they become diluted, and it is apparent that they are altogether false. It is further said that the videos and photographs, which are said to be subject of blackmail were never submitted or never recovered from the possession of the Applicant, which may in any manner link him with such allegations. It is also pleaded that the charge-sheet has been filed in the present matter, and thus, as the matter advanced for trial, the procedure mandates no further interrogation by the Police and there is no criminal history which may link the Applicant with any crime, and thus, requested that the Applicant may be enlarged on bail for whatever the grounds and conditions the Court set and

imposes for.

10. Learned State Counsel objects to the bail application with basic contention that the Applicant has exploited the morality and sentiments of the informant/victim by physically exploiting her and taking the obscene pictures and photos of her and extorted money from her.

11. Learned counsel for the victim/informant states that there is a clear-cut example of what vulnerability a woman goes through when she is under fear of blackmail by culprit, who has physically exploited her, who has taken advantage of her vulnerability, who has taken her obscene photos and videographs, which forms a tool and weapon to be precise for extorting money from the victim and hurting her sentiments mentally and physically. He further submits that matter is serious as it relates to the personal sanctity of a woman, who has been exploited physically and mentally. During the course of trial, the Applicant attempted to threaten the victim, and thus, it is submitted that the Applicant should not be released on bail as he may pose threat to the victim/informant and the other witnesses as well.

12. After hearing the rival submission of the learned counsel for the parties, this Court finds the present matter fit case for bail. Firstly, the FIR has been lodged with a delay of 5-6 years with no plausible explanation as to why there was a delay in lodging the FIR. The victim is a major woman and as per the records, there is a money transaction between the Complainant/victim and the Applicant, which leaves a scope for many speculation in the present matter and the subject matter that the prosecution story based upon the photographs

and the videos and that is why the Applicant is alleged to have illegally taken of informant/victim are not placed before this Court, not they have been recovered or placed before the learned Trial Court or made part of the preliminary evidence during the course of investigation. In the present matter, charge-sheet has also been filed and there is no criminal history of the Applicant which may suggests for any further involvement in the matter.

13. Accordingly, bail application is allowed. It is directed that the Applicant - Wajid, who has been accused in FIR No.135 of 2025, dated 04.11.2025, under Sections 376, 384, 504 and 506 of IPC, at Police Station Selaqui, District Dehradun, be released on bail on furnishing a personal bond with two reliable sureties each in the like amount to the satisfaction of the concerned court. The Applicant shall cooperate with the trial proceedings and shall not misuse the liberty granted to him. While he is in furlough, he is directed to observe the following conditions:-

- i. The Applicant shall surrender his passport, if any, before the Superintendent of the concerned Jail.
- ii. The Applicant shall maintain peace and tranquillity.
- iii. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case.

**(Ashish Naithani, J.)**

15.04.2026

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