

Sl. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS																				
			<p>CRJA No.23 of 2023 <u>Hon'ble Pankaj Purohit, J.</u> Mr. Sandeep Adhikari, learned legal aid counsel for the appellant.</p> <p>2. Ms. Pushpa Bhatt, learned Deputy Advocate General for the State.</p> <p>3. This appeal has been received from jail through Superintendent Jail, District Jail, Haridwar against the judgment and order dated 04.08.2022, passed by learned Additional Sessions Judge/FTSC, Haridwar in Special Sessions Trial No.162 of 2018, <i>State vs. Robin Thapa</i>, whereby the appellant has been convicted and sentenced as under: -</p> <table border="1" data-bbox="405 1055 1517 1473"> <thead> <tr> <th>S. No.</th> <th>Conviction</th> <th>Sentence</th> <th>Fine</th> <th>Sentence in-lieu of fine</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>363 IPC</td> <td>03 years' R.I.</td> <td>Rs.10,000/-</td> <td>03 months' additional imprisonment</td> </tr> <tr> <td>2.</td> <td>376(2)(अ)(द)</td> <td>10 years' R.I.</td> <td>Rs.50,000/-</td> <td>06 months' additional imprisonment</td> </tr> <tr> <td>3.</td> <td>5(द)/6 of the POCSO Act</td> <td>10 years' R.I.</td> <td>Rs.50,000/-</td> <td>06 months' additional imprisonment</td> </tr> </tbody> </table> <p>All the sentences were directed to run concurrently.</p> <p>4. Heard on Bail Application (IA No.2/2023).</p> <p>5. Learned counsel for the appellant submits that the appellant has undergone 7 years, 7 months, and 20 days of incarceration, and the maximum sentence awarded to him is ten years. He further submits that the appellant has maintained good conduct during his incarceration, and there are no reports of any disciplinary issues or misconduct in jail.</p>	S. No.	Conviction	Sentence	Fine	Sentence in-lieu of fine	1.	363 IPC	03 years' R.I.	Rs.10,000/-	03 months' additional imprisonment	2.	376(2)(अ)(द)	10 years' R.I.	Rs.50,000/-	06 months' additional imprisonment	3.	5(द)/6 of the POCSO Act	10 years' R.I.	Rs.50,000/-	06 months' additional imprisonment
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6. Per contra, learned State Counsel opposed the bail application on the ground that the offences involved are of a very serious and heinous nature, attracting strong societal and legal condemnation. She further contends that the grant of bail in such cases would send a wrong signal to society and may undermine the deterrent effect of the law.

7. After considering the submissions made by the learned counsel for the parties, and upon perusal of the record, this Court is of the view that no ground for grant of bail is made out at this stage. The appellant has been convicted for serious and heinous offences involving sexual assault on a minor. Merely having undergone a substantial portion of the sentence and maintaining good conduct in jail does not by itself justify the grant of bail, especially when the offences are of such a grave nature. Accordingly, the bail application is dismissed at this stage.

8. List on 23.09.2025 for final hearing.

9. Urgency application (IA No.3/2025) stands disposed of accordingly.

(Pankaj Purohit, J.)

08.09.2025

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