

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

IA No.1 of 2024 For Bail Application
In
Criminal Appeal No. 101 of 2024

Raavish Appellant

Vs.

State of Uttarakhand Respondent

Present:

Ms. Pushpa Joshi, Senior Advocate assisted by Ms. Nipush Mola Joshi,
Advocate for the appellant.

Mr. J.S. Virk, D.A.G. for the State of Uttarakhand.

Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Siddhartha Sah, J.

Hon'ble Ravindra Maithani, J. (Oral)

The instant appeal has been preferred against judgment and order dated 05/06.01.2024, passed in Special Sessions Trial No.19 of 2022, State Vs. Raavish, by the court of Special Judge (POCSO)/Additional Sessions Judge, FTC, Haldwani, District Nainital. By it, the appellant has been convicted under Section 376(2)(n) and Sections 5(l)/6 and 5(j)(ii)/6 of the Protection of Children from Sexual Offences Act, 2012, and sentenced accordingly.

2. This appeal has already been admitted.

3. List in due course for final hearing.

4. Heard on Bail Application (IA) No.1 of 2024.

5. According to the FIR, the appellant and the victim came close to each other through some social media platform. The appellant established physical relations with the victim under the pretext of marriage. Subsequently, the victim came to know that, in fact, the appellant was already married.

6. Learned Senior Counsel appearing for the appellant submits that the appellant is in custody for more than 5 years; in her statement recorded under Section 164 of the Code of

Criminal Procedure, 1973, and in the court also, the victim has stated that she and the appellant were in romantic relationship; there is no Forensic Science Laboratory report.

7. Learned State Counsel submits that the victim was minor on the date of incident; the appellant was already married having a child; the victim has supported the prosecution case.

8. It is a stage of bail post conviction. Much of the discussion is not expected of. Arguments are being appreciated with the caveat that any observation made in this order shall have no bearing at any subsequent stage of the proceedings.

9. The victim has been examined during trial. She has stated that, in fact, the appellant did conceal multiple facts with the victim, like he was married having a child, and he belongs to a different religion.

10. Having considered,, this Court does not see any ground, which may entitle the appellant to bail. Accordingly, the bail application deserves to be rejected.

11. The bail application is rejected.

(Siddhartha Sah, J.)

(Ravindra Maithani, J.)

23.03.2026