

HIGH COURT OF UTTARAKHAND AT NAINITAL
Application for Bail and Suspension of Sentence (IA) No.2 of 2026
In
Criminal Appeal No. 314 of 2025

Rajveer Singh Appellant

Vs.

State of Uttarakhand Respondent

Present : Mr. Akram Parvez, Advocate for the appellant.
Mr. Siddhartha Bisht, AGA for the State.

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

Hon'ble Ravindra Maithani, J. (Oral)

Instant appeal is preferred against the judgment and order dated 14.02.2025, passed in Special Sessions Trial No.26 of 2020, State vs. Rajveer Singh, by the court of Special Judge (POCSO Act)/District and Sessions Judge, Champawat. By it, the appellant has been convicted under Sections 363 IPC and Sections 3/4 of the Protection of Children from Sexual Offences Act, 2012 read with 376 IPC and sentenced accordingly. The appellant seeks bail during pendency of the appeal.

2. Heard on Application for Bail and Suspension of Sentence (IA) No.2 of 2026.

3. According to the FIR, on 12.03.2020 at 10:00, the appellant enticed the victim and took her along with him.

4. Learned counsel for the appellant submits that the appellant and the victim, both were in relationship; this is what the victim has stated during investigation and in court also.

5. Learned State Counsel submits that though the victim has stated that she was in relationship with the appellant, but the act of physical relation was forcibly done by the appellant and the victim was a minor.

6. It is a stage of bail after conviction. Much of the discussion at this stage is to be avoided. To the extent of appreciating the controversy the matter may be examined with the caveat that any observation made at this stage shall have no bearing at any subsequent stage of the case and in as other case.

7. In court also, the victim has stated that she and the appellant, both were in relationship and under the pretext of marriage the appellant took her with him and, thereafter established physical relations with her.

8. Having considered this and other attending factors of this case, we are of the view that it is a case in which the execution of sentence should be suspended and the appellant be enlarged on bail.

9. The bail application is allowed.

10. The execution of sentence, which is under challenge in this appeal shall remain suspended during the pendency of the appeal.

11. Let the appellant be released on bail, during pendency of the appeal on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.

12. List for final hearing in due course.

(Siddhartha Sah, J.) (Ravindra Maithani, J.)
25.03.2026

Sanjay