



2026:UHC:3493

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p data-bbox="692 376 925 407"><b><u>BA1/946/2025</u></b></p> <p data-bbox="692 448 1168 488"><b><u>Hon'ble Alok Mahra, J.</u></b></p> <p data-bbox="692 506 1477 636">Mr. Anoop Jaiswal, learned counsel for the applicant through Video Conferencing.</p> <p data-bbox="692 654 1477 739">2. Mr. Manoj Bhatt, learned Brief Holder for the State.</p> <p data-bbox="692 757 1477 842">3. Ms. Harshi Gupta, learned counsel for the complainant.</p> <p data-bbox="692 860 1477 1263">4. The present bail application has been filed seeking grant of regular bail in connection with F.I.R./Case Crime No. 46 of 2025, registered under Sections 137(2), 64(1) and 87 of the B.N.S., 2023 and Sections 5/6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Kashipur, District Udham Singh Nagar.</p> <p data-bbox="692 1281 1477 1411">5. Heard learned counsel for the parties and perused the material available on record.</p> <p data-bbox="692 1429 1477 1966">6. Learned counsel for the applicant would submit that the F.I.R. has been lodged by the mother of the victim alleging therein that on 25.01.2025, her daughter, aged about 17 years, was sleeping in her room during the night, however, in the morning she was found missing and despite search, her whereabouts could not be traced. During the course of investigation, the victim was allegedly recovered from the company of the present applicant.</p> <p data-bbox="692 1984 1477 2114">7. Learned counsel for the applicant would further submit that the applicant is innocent and has falsely been</p>



implicated in the present case; that, the applicant and the victim were acquainted with each other and were in a consensual love relationship; that, the victim, in her statements recorded under Sections 180 and 183 of the B.N.S.S. has not supported the prosecution case and has categorically stated that she had voluntarily accompanied the applicant of her own free will.

8. Learned counsel would further submit that the victim has also been examined as PW-1 before the trial court and in her testimony she has reiterated that she had gone with the applicant voluntarily and that both of them had solemnized marriage in a temple; that, applicant is a young person aged about 20 years and has no criminal antecedents to his credit.

9. It is further submitted that the applicant is languishing in jail since 22.02.2025 and the bail application moved before the court below has already been rejected vide order dated 26.05.2025; that, the trial is likely to take considerable time in its conclusion and, therefore, the applicant deserves to be enlarged on bail during pendency of the trial.

10. Per contra, learned State counsel has opposed the bail application and submits that serious allegations have been levelled against the applicant. However, he does not dispute the fact that the victim, in her statements as well as in her deposition before the trial court, has not supported the prosecution version.

11. Having considered the submissions advanced by learned counsel for the



parties, perused the material available on record, particularly the statements of the victim recorded during investigation as well as before the trial court, the period of incarceration undergone by the applicant, and without expressing any opinion on the merits of the case, this Court is of the view that the applicant has made out a fit case for grant of bail.

12. Accordingly, the bail application is allowed.

11. Let the applicant, Arshdeep Singh @ Aashu be released on bail in the aforesaid case crime number on his furnishing a personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned.

**(Alok Mahra, J.)**  
07.05.2026

Mamta