

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>BA1 No.1284 of 2025</u> <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Alok Kumar, learned counsel for the applicant.</p> <p>2. Mr. Prabhat Kandpal, learned A.G.A. for the State.</p> <p>3. Applicant-Vikas, who is in judicial custody in connection with F.I.R. No. 168 of 2025, registered under Sections 64(2)(m), 65(1), 351(3) of the B.N.S. and Sections 3(a)/4(2), 5(1)/6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station SIDCUL, District Haridwar, has sought his release on bail.</p> <p>4. Heard learned counsel for the parties and perused the material available on record.</p> <p>5. Learned counsel for the applicant submits that, as per the prosecution version, the F.I.R. has been lodged by the complainant alleging that she has two daughters and is employed in SIDCUL, and that the applicant, who resides on the third floor of the same rented premises, is alleged to have established physical relations with the elder minor daughter of the complainant. It is submitted that upon completion of investigation, the Investigating Officer has submitted the charge-sheet.</p> <p>6. It is further submitted that the applicant is innocent and has been falsely implicated in the present case; that, the charge-sheet has been submitted without awaiting the F.S.L.</p>

report, which creates doubt on the fairness and completeness of the investigation; that, the F.I.R. has been lodged with inordinate and unexplained delay and does not disclose specific date, time or particulars of the alleged incident.

7. Learned counsel for the applicant would further submit that as per the supplementary medical report of the victim, no spermatozoa, either alive or dead, has been detected. It is also pointed out that the medical report indicates that the hymen is intact, which, according to the defence, does not support the prosecution case of sexual assault. It is further submitted that the applicant is in judicial custody since 05.04.2025; he has no criminal antecedents.

8. He would further submit that the statements of the victim and the complainant have already been recorded and the applicant is a permanent resident of District Haridwar, therefore, there is no likelihood of tampering with evidence or influencing witnesses or absconding. It is also submitted that the bail application of the applicant has been rejected by the court below vide order dated 24.06.2025, and the trial is likely to take considerable time to conclude.

9. Per contra, learned State counsel has opposed the bail application on the ground that the allegations are serious in nature, involving a minor victim, and attract stringent provisions of the Protection of Children from Sexual Offences Act, 2012. However, he does

not dispute that the applicant has remained in custody since 05.04.2025 and that the bail application was rejected on 24.06.2025 by the court below.

10. Having heard learned counsel for the parties and upon perusal of the material available on record, and considering that the applicant has remained in judicial custody since 05.04.2025, the charge-sheet has already been filed, and the statements of the material witnesses, including the victim, stand recorded, this Court finds no material to indicate that the applicant, if enlarged on bail, would tamper with the evidence or influence witnesses.

11. Accordingly, without expressing any opinion on the merits of the case, and having regard to the settled principles governing grant of bail, particularly the period of incarceration and the likelihood of delay in conclusion of the trial, this Court is satisfied that the applicant has made out a fit case for grant of bail.

12. Accordingly, the 1st bail application is allowed.

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

(Alok Mahra, J.)

16.04.2026