



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**(CRIMINAL APPEAL NO. _____/2026)
(@SLP (CRL.) NO. 2774/2026)**

Vijay Yadav @ Manish Yadav **Appellant**

VERSUS

State Of Uttarakhand **Respondent**

O R D E R

1. Heard.
2. Leave granted.
3. A prayer for grant of bail by suspending the sentence sought for has been negatived by the jurisdictional High Court and as such the accused/convict has knocked at the doors of this Court for grant of said reliefs.
4. Having heard the learned advocates appearing for both the parties and on perusal of the records including the testimony of the victim/prosecutrix

where she admits that the photos and videos were taken from her mobile, and the mobile phone belonging to the accused, did not have any nude photographs of the prosecutrix, the finding recorded by the learned Trial Court Judge requires to be examined in the background of this evidence by the Appellate Court and for recording our *prima facie* satisfaction with regard to suspension of sentence, this opinion has been expressed making it explicitly clear that it is for the limited purpose of granting the bail and suspension of sentence and the High Court shall not be influenced in any manner whatsoever by these observations while hearing the appeal on merits.

5. Subject to the above, the appeal is allowed, impugned order is set aside and the sentence imposed on the appellant by judgment dated 11/13.08.2025 is suspended and appellant is ordered to be enlarged on bail on such terms and conditions as jurisdictional Court deems fit to impose.

6. Pending application(s), if any, shall stand disposed of.

.....J

[ARAVIND KUMAR]

.....J

[PRASANNA B. VARALE]

New Delhi;

April 06, 2026.

ITEM NO.19

COURT NO.16

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)
No. 2774/2026

[Arising out of impugned final judgment and order
dated 04-12-2025 in BA No. 1/2025 passed by the
High Court of Uttarakhand at Nainital]

VIJAY YADAV @ MANISH YADAV Petitioner(s)

VERSUS

STATE OF UTTARAKHAND Respondent(s)

FOR ADMISSION

IA No. 49993/2026 - EXEMPTION FROM FILING O.T.

Date : 06-04-2026 This matter was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Ankur Yadav, AOR
Mr. Avnish Singh, Adv
Mr. Suraj Sharma, Adv

For Respondent(s) : Mr. Ashutosh Kumar Sharma, AOR
Mr. Vikas Negi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The Criminal Appeal is allowed in terms of the signed order which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(DEEPANSHU)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER(NSH)