

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>ABA No.32 of 2026 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Rajat Mittal, Advocate for the applicant. Mr. J.S. Virk, Deputy Advocate General and Mr. Rakesh Kumar Joshi, Brief Holder for the State of Uttarakhand.</p> <p>2. Applicant-Ganesh Rawat seeks anticipatory bail in connection with F.I.R. No.0016 of 2026, under Section 69 & 89 of B.N.S., 2023, registered at Police Station Vikasnagar, District Dehradun.</p> <p>3. Heard learned counsel for the parties and perused the record.</p> <p>4. According to the F.I.R., the complainant, a 34-year-old widow residing with her two minor children aged approximately 9 and 11 years, alleges that the applicant was introduced to her by a common friend, leading to a friendship that evolved into an intimate relationship spanning four years from February 2021 to 10 March 2025. She claims the applicant made a false promise of marriage, exploiting this pretext to establish physical relations on multiple occasions, and has now married another woman.</p> <p>5. Learned counsel for the applicant submits that the F.I.R. has been lodged with oblique and mala fide intent to extort money. He asserts that the applicant never assured or falsely promised marriage to induce physical relations; instead, a consensual relationship developed mutually between two adults over time, without any precondition of matrimony. Reliance is placed on the Hon'ble Supreme Court's judgment in <i>Pramod Suryabhan Pawar Vs. State of Maharashtra</i>, reported in (2019) 9</p>

SCC 608, which clarifies that physical relations established pursuant to a promise of marriage do not invariably constitute rape.

6. Learned State Counsel vehemently opposed the anticipatory bail application.

7. Having considered the submission of learned counsel for the parties, this Court is of the view that this is a case, in which the applicant should be granted anticipatory bail. The instant anticipatory bail application deserves to be allowed.

8. Accordingly, the anticipatory bail application is allowed.

9. In the eventuality of arrest, the applicant shall be enlarged on bail on his furnishing a personal bond in the sum of ₹50,000/- with two sureties, each in the like amount, to the satisfaction of the Investigating Officer. In addition to it, the applicant shall also comply with the following conditions:-

(i) The applicant shall co-operate with the investigation.

(ii) The applicant shall not approach any witness/victim in any manner, whatsoever.

(iii) The applicant shall not leave the country without prior permission of the concerned court.

(iv) The applicant shall deposit his passport with the Investigating Officer. The passport may only be returned by the order of the court concerned. In case the applicant does not have passport, he shall give an undertaking to that effect to the Investigating Officer.

(Alok Mahra, J.)
Vacation Judge

22.01.2026

