

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1755 of 2022

Abdul KalaamApplicant
Versus

State of UttarakhandRespondent

Present:-

Mr. S.R.S. Gill, Advocate for the applicant.

Mr. Lalit Miglani, A.G.A. with Ms. Sonika Khulbe, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant Abdul Kalaam is in judicial custody in FIR/Case Crime No.60 of 2022, under Sections 376, 506 and 120-B IPC and Sections 5/6 of the Protection of Children from Sexual Offences Act, 2012 and Section 66-D of the Information Technology Act, 2000, Police Station Kotwali Dehradun, District Dehradun. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the victim, a young girl of 17 years of age, was sent obscene photographs and she was blackmailed by the applicant. The victim was depressed. Her father spoke to her and then she revealed that a person, took her in a guest house and raped her

under the threat of making the obscene photographs viral.

4. Learned counsel for the applicant would submit that there is no obscene photographs; there is no electronic evidence and the identification of the applicant was not done. Hence, it is a case fit for bail.

5. The victim has already been examined in the court. She has stated the incident in detail. Much of the discussion at this stage is not expected of. According to her, by morphing a photograph, her obscene photograph was made and sent on her Instagram. She was compelled to visit a place where, according to the victim, the applicant raped her and thereafter, continued blackmailing her and raping her. She identified the applicant in the court.

6. It is a very heinous offence. Undoubtedly, if the applicant is released on bail, he would continue do such acts in future.

7. Having considered, this Court is of the view that it is not a case fit for bail and the bail application of the applicant deserves to be rejected.

8. The bail application is rejected.

(Ravindra Maithani, J.)
14.09.2022

Sanjay