

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 26306 of 2025

Applicant :- Adil Abbas

Opposite Party :- State of U.P.

Counsel for Applicant :- Durgesh Kumar Singh, Rishabh Narain Singh

Counsel for Opposite Party :- G.A., Krishna Dwivedi, Rajendra Kumar Pandey

Hon'ble Samit Gopal, J.

1. List revised.
2. Heard Sri Durgesh Kumar Singh, learned counsel for the applicant, Sri Krishna Dwivedi, learned counsel for the first informant and Sri Ajay Singh, learned A.G.A.-I for the State and perused the material on record.
3. This bail application under Section 483 of B.N.S.S., 2023 has been filed by the applicant- **Adil Abbas**, seeking enlargement on bail during trial in connection with Case Crime No. 0642 of 2025, under Sections 69, 308(2), 352, 351(2) B.N.S. & Section 3/5 The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, Police Station Indirapuram, District Ghaziabad.
4. The first information report of the present matter was lodged on 31.05.2025 by the victim against the applicant and 02 other persons alleging therein that she met the applicant in her office and they became close to each other. In the meantime, he captured her private photos & videos. On a threat to make them viral, he physically and financially used her. He used to pressurize her for physical relationship and demanded money. He threatened her of making the said videos and photos viral, due to the same she became physical with him. In the meantime, she gave money to him on various times totalling about Rs. Two lakhs. On further refusal to give money he used to threaten her and abused her. He also threatened her family members of making her videos and photos viral. There was a discussion marriage between them. He is forcing her to get her religion converted.
5. Learned counsel for the applicant submitted that the applicant has been falsely implicated in the present case. It is submitted that the victim is a major woman aged about 32 years. It is submitted that the victim was well aware of the consequences of the relationship between her and the applicant. It is further submitted that initially the relationship was a consensual relationship which later on became sour. It is submitted that although the first information report has been lodged against 03 persons but charge-sheet has been submitted only against the applicant whereas the other 02 co-accused have been exonerated during investigation, copy of the charge-sheet has been placed before the Court annexed as

Annexure-SA-1 to the supplementary affidavit dated 18.08.2025 which is already on record. It is submitted that no such video or photograph has been recovered during investigation. It is submitted that the victim when produced before the doctor refused her medical examination both internally and externally. The applicant has no criminal history as stated in para 17 of the affidavit and is in jail since 05.06.2025.

6. *Per contra*, learned counsel for the first informant and learned counsel for the State opposed the prayer for bail. Learned counsel for the first informant submits that even though the applicant is in jail but his family members are continuously tracing and tracking the victim and are extending threats to her.

7. After having heard learned counsel for the parties and perusing the record, it is evident that the victim is a major woman aged about 32 years. The relationship between the applicant and the victim started from their office which subsequently became sour. No such photograph has been recovered during investigation. Charge-sheet in the matter has been submitted. Two named co-accused persons have been exonerated in the investigation.

8. Looking to the facts and circumstances of this case, the nature of evidence and also the absence of any convincing material to indicate the possibility of tampering with the evidence, this Court is of the view that the applicant may be enlarged on bail.

9. Let the applicant- **Adil Abbas**, be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with prosecution evidence and will not harm or harass the victim/complainant in any manner whatsoever.

(ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever. In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under section 84 B.N.S.S., 2023 may be issued and if applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under section 209 B.N.S., 2023.

(v) The applicant shall remain present, in person, before the trial court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 351 B.N.S.S., 2023. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law and the trial court may proceed against him under Section 269 B.N.S., 2023.

(vi) The trial court may make all possible efforts/endeavour and try to conclude the trial expeditiously after the release of the applicant.

(vii). The applicant or his family members shall in no manner tamper with, trace, track and harass the victim.

10. The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

11. The bail application is **allowed**.

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

Order Date :- 21.8.2025

AS Rathore

(Samit Gopal,J.)