

CORRECTED



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2025
(@ Special Leave Petition (Crl.) No. 4600/2025)

AMAN SIDDIQUI ALIAS AMAN CHAUDHARY
ALIAS RAJA . . . APPELLANT (S)

VERSUS

STATE OF UTTARAKHAND . . . RESPONDENT (S)

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 28.02.2025 passed by the High Court of Uttarakhand at Nainital in BA1 No.2576 of 2024.

The appellant herein has been booked for the crime registered pursuant to FIR No. 609 of 2024 dated 12.12.2024 lodged with Police Station Rudrapur, District Udham Singh Nagar, with respect to offences punishable under Sections 3/5 of Uttarakhand Freedom of Religion Act, 2018 and under Sections 318(4) and 319 of Bharatiya Nyaya

Sanhita, 2023.

An application seeking regular bail having been rejected by the High Court vide impugned order dated 28.02.2025, the appellant has preferred the instant appeal.

By order dated 04.04.2025, this Court issued notice to the respondent.

Heard learned senior counsel for the appellant in support of the appeal and learned counsel for the State and perused the material on record.

Learned senior counsel for the appellant contended that a frivolous complainant has been lodged against the appellant herein only because he is married to a lady who is following a different faith. He submitted that the marriage between the parties was an arranged marriage. The facts were known to both sides. The families voluntarily decided to arrange the marriage of the appellant with the lady. However, soon after the marriage certain persons and certain organisations

seemed to have objected to the marriage. This resulted in the FIR No.609 dated 12.12.2024 being lodged against the appellant herein. The appellant is in jail for nearly six months. Although, the charge sheet has been filed, having regard to the nature of the allegations alleged against the appellant herein, he is entitled to the relief of bail by setting aside the impugned order.

Learned senior counsel further submitted that if the appellant is released on bail possibly the appellant and his wife would reside separately from their families and continue to live peacefully without any hindrance. For that reason also, he may be released on bail.

Per contra, learned counsel for the respondent - State with reference to his counter affidavit submitted that there is no merit in this appeal and the same may be dismissed.

We observe that the respondent - State cannot have any objection to the appellant and his wife residing together inasmuch as they have been married as per the wishes to their respective parents

and families. In the circumstances, we find that this is an appropriate case where the relief of bail ought to be granted to the appellant herein.

We also make it clear that the pendency of the criminal proceeding against the appellant herein would not come in the way of the appellant and his wife residing together on their own volition.

Considering the facts on record, in our view, the case for bail is made out.

We, therefore, allow this appeal and direct as under:

"The appellant shall be produced before the concerned Trial Court as early as possible and the Trial Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings arising out of FIR No. 609 of 2024 dated 12.12.2024 mentioned above."

It is directed that the appellant shall extend complete cooperation in the ensuing trial and shall not misuse his liberty.

Any infraction of the conditions shall entail
cancellation of bail granted to the appellant.

With the aforesaid directions, the criminal
appeal is allowed.

.....J.
[B.V. NAGARATHNA]

NEW DELHI
MAY 19, 2025

... .J.
[SATISH CHANDRA SHARMA]

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[B.V. NAGARATHNA]

NEW DELHI
MAY 19, 2025

... .J.
[SATISH CHANDRA SHARMA]

COURT NO. 6

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 (Cr1.) No(s). 4600/2025

[Arising out of impugned final judgment and order dated 28-02-2025 in BA1 No. 2576/2024 passed by the High Court of Uttarakhand at Nainital]

AMAN SIDDIQUI ALIAS AMAN CHAUDHARY ALIAS RAJA Petitioner(s)

VERSUS

STATE OF UTTARAKHAND	Respondent (s)
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IA No. 78120/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 78119/2025 - EXEMPTION FROM FILING O.T.

IA No. 78122/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 19-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) : Mr. Sanjeev Kumar, Sr. Adv.
Ms. Manjula Gupta, AOR
Mr. Sudhir Kumar Santoshi, Adv.
Mr. Sudhanshu Kumar, Adv.

For Respondent(s) :Mr. Siddharth Sangal, AOR
Ms. Richa Mishra, Adv.
Ms. Mushkan Mangla, Adv.

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

Leave granted.

The Appeal is allowed in terms of the signed order.

It is directed that the appellant shall be produced before the concerned Trial Court as early as possible and the Trial Court shall release him on

bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings arising out of FIR No. 609 of 2024.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)

(Signed order is placed on the file)