
(2024) 11 UK CK 0024

Uttarakhand High Court

Case No: Anticipatory Bail Application No. 862 Of 2024

Sangat Singh @ Sangi

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 11, 2024

Acts Referred:

- Indian Forest Act, 1927 - Section 26
- Bhartiya Nyaya Sanhita, 2023 - Section 109(1), 121(2), 132, 191

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Avidit Noliyal, S.C. Dumka

Final Decision: Dismissed

Judgement

Ravindra Maithani, J

1. Delay in filing objection is condoned. Objection is taken on record. Delay Condonation Application, IA No.3 of 2024, stands disposed of,

accordingly.

2. Applicant seeks anticipatory bail in Case Crime No.0232 of 2024, under Section 26 of the Indian Forest Act, 1927 and Sections 109(1), 121(2), 132

and 191 of the Bhartiya Nyaya Sanhita, 2023, Police Station Gadarpur, District Udham Singh Nagar.

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

4. According to the FIR, on 06.09.2024, at 4:00 PM, the informant, who is a Forest Officer, was on patrolling duty. He spotted some persons, who

were cutting a tree. When the informant and the Forest Officers challenged those persons, they opened fire. It is the case in the FIR that four persons

did sustain firearm injuries. The report was lodged.

5. Learned counsel for the applicant would submit that it is a false case; the injuries are incision; they are not firearm injuries; the injured, Heera Lal

Singh's medical report is not on record. It is also argued that if the applicant had opened fire, what prevented the Forest Officers to open fire on

the applicant? He would submit that, in fact, on the date of incident, the applicant was taking care of his new born baby; since the applicant was

earlier involved in some forest cases, he was named in the FIR.

6. Learned State Counsel would submit that it is a named FIR; the informant and other witnesses have supported the prosecution case; on the date of

incident itself, the informant and other witnesses were medically examined, and there were firearm injuries noticed on the informant and other victims,

namely, Kamal Singh and Shubham Sharma.

7. The applicant seeks anticipatory bail. The nature of offence, the circumstances, under which the incident happened, and other factors are relevant

for it. The applicant is named in the FIR. The informant writes that it is the applicant, who opened fire on the Forest team. The informant and three

other persons are alleged to have sustained injuries. There have been medical examination reports of the informant as well as injured Kamal Singh and

Shubham Sharma, who, according to the medical examination report, had sustained gunshot injuries.

8. Having considered, this Court is of the view that the applicant is not entitled to anticipatory bail. Accordingly, the instant anticipatory bail application

deserves to be dismissed.

9. The anticipatory bail application is dismissed.