

(2025) 12 UK CK 0041

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1148 Of 2025

Harchetan Singh Alias Chetan
Mangat

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023 - Section 109, 125, 190, 191(2), 191(3), 351(2), 352
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Gyanmati Kushwaha, Pratiroop Pandey

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application for anticipatory bail has been filed in Case Crime No.478 of 2025, registered at Police Station Rudrapur, District Udham Singh Nagar under Sections 109, 125, 190, 191(2), 191(3), 351(2) and Section 352 of the Bharatiya Nyaya Sanhita, 2023.

2. According to the First Information Report, nomination for election of Student Union of Degree College, Rudrapur was on 24.09.2025. The students gathered at 13.15 O'Clock. There was a crowd and supporters. A dispute had started between the two groups. Jassi Kachura (co-accused) and Satpal Lahoriya (co-accused) opened fire, however, no one received any gunshot injury.

3. Heard Mrs. Gyanmati Kushwaha, learned counsel for the applicant and Mr. Pratiroop Pandey, learned Assistant Government Advocate for the respondent.

4. Mrs. Gyanmati Kushwaha, Advocate, has contended that the applicant was not present on the spot. He was present at his house at the relevant time which is apparent from the footage of the

CCTV, installed at his house (annexure no.2). He is a student. He is not a convicted person. He is a permanent resident of District Udham Singh Nagar, therefore, there is no possibility of his absconding. The Anticipatory Bail Application (No.1111 of 2025) of the co-accused Jassi Kachura has already been allowed by the Coordinate Bench of this Court. Applicant was granted interim bail on 15.10.2025, and, the conditions of the interim bail have not been violated by him.

5. Mr. Pratiroop Pandey, Assistant Government Advocate, has opposed the anticipatory bail application.

6. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 15.10.2025, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Harchetan Singh alias Chetan Mangat, he shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions:-

(i) Applicant shall cooperate with the Investigating Agency and he shall make himself available for interrogation by a police officer as and when required;

(ii) If the charge-sheet is filed, the applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;

(iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case.

(iv) Applicant shall not leave the country without the previous permission of the trial court.

8. It is made clear that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.